

## INVESTIGATION OF SILVER PROGRAM

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD excerpts from additional letters received by him with reference to Senate Joint Resolution 1, providing for the appointment of a special joint committee to investigate the silver program, which appear in the Appendix.]

## THE WRIGHT AIRPLANE—EDITORIAL FROM MIAMI HERALD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the Miami Herald of January 6, 1939, relative to the Wright airplane, which appears in the Appendix.]

## MUNICIPALLY OWNED POWER SYSTEM IN TACOMA, WASH.

[Mr. BONE asked and obtained leave to have printed in the RECORD an article published in the Tacoma, Wash., Sunday Ledger on January 1, 1939, with reference to the Tacoma municipally owned power system, which appears in the Appendix.]

## FOREIGN POLICY OF UNITED STATES—EDITORIAL FROM LIBERTY

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD part of an editorial from Liberty for January 28, 1939, entitled "Shall We Be Forced Into War by Reckless Officials?" which appears in the Appendix.]

## RELIEF—ARTICLE BY DR. GEORGE GALLUP

[Mr. HOLT asked and obtained leave to have printed in the RECORD an article by Dr. George Gallup on the subject of relief, published in the Washington Post of Sunday, January 22, 1939, which appears in the Appendix.]

## GOLD: A BUSINESS RESTORATIVE—EDITORIAL FROM BALTIMORE SUN

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the Baltimore Sun of January 18, 1939, entitled "Gold: A Business Restorative," which appears in the Appendix.]

## ADDITIONAL APPROPRIATION FOR WORK RELIEF AND RELIEF

Mr. BARKLEY. I move that the Senate proceed to the consideration of House Joint Resolution 83.

The VICE PRESIDENT. The question is on the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (H. J. Res. 83) making an additional appropriation for work relief and relief for the fiscal year ending June 30, 1939, which had been reported from the Committee on Appropriations, with amendments.

## RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, January 24, 1939, at 12 o'clock meridian.

## NOMINATIONS

*Executive nominations received by the Senate January 23 (legislative day of January 17), 1939*

## INTERSTATE COMMERCE COMMISSION

Thomas R. Amlie, of Wisconsin, to be an Interstate Commerce Commissioner for a term expiring December 31, 1945, vice Balthasar H. Meyer, term expired.

## PROMOTIONS IN THE COAST GUARD

The following-named ensigns to be lieutenants (junior grade) in the Coast Guard of the United States, to rank as such from May 27, 1938:

John Montrello  
Gilbert F. Schumacher  
Charles Tighe  
Fred L. Westbrook  
Richard Baxter  
Oscar D. Weed, Jr.  
Ralph D. Dean  
Joseph R. Scullion  
William J. Conley, Jr.

Richard L. Mellen  
Glenn L. Rollins  
Ernest A. Cascini  
Frank V. Helmer  
Robert F. Shunk  
Donald W. Weller  
Justus P. White  
William J. Lawrence

## CONFIRMATIONS

*Executive nominations confirmed by the Senate January 23 (legislative day of January 17), 1939*

## SECRETARY OF COMMERCE

Harry L. Hopkins to be Secretary of Commerce.

## APPOINTMENTS IN THE REGULAR ARMY

Brig. Gen. Henry Harley Arnold to be Chief of the Air Corps with the rank of major general.

Col. Walter Glenn Kilner (lieutenant colonel) to be Assistant to the Chief of the Air Corps with the rank of brigadier general.

## TO BE MAJOR GENERALS

William Henry Wilson

Robert McCandless Beck, Jr.

## TO BE BRIGADIER GENERALS

Edmund Leo Daley

Jonathan Mayhew Wainwright

Adna Romanza Chaffee

Daniel Isom Sultan

Maxwell Murray

William Edgar Shedd, Jr.

## APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, REGULAR ARMY

## TO BE WING COMMANDERS WITH THE RANK OF BRIGADIER GENERAL

Walter Hale Frank

Herbert Arthur Dargue

## APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

Ralph Emerson Truman to be major general.

William Leslie Hornor to be brigadier general, Adjutant General's Department.

## TO BE BRIGADIER GENERALS

Ralph Maxwell Immell

Walter Braxton Pyron

Alexander Edward Anderson

Richard Eugene Mittelstaedt

Diller Slyder Myers

Edward Clark Rose

Leonard Fish Wing

## REAPPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

## TO BE BRIGADIER GENERALS, INACTIVE RESERVE

Brig. Gen. John Ross Delafield.

Brig. Gen. Samuel McRoberts.

## POSTMASTERS

## ARKANSAS

Deedy Newsome, Arkinda.

Ocie E. Mathis, Hackett.

## NEW MEXICO

Robert F. Fisher, Cuba.

James C. Wyman, Loving.

## NORTH CAROLINA

Jethro M. Rollins, Bostic.

Eli H. Ange, Jamesville.

Virginia D. Martin, Parkton.

Derr L. Hines, Stony Point.

Maude F. Cheatham, Youngsville.

## VERMONT

Bert G. Peck, East Middlebury.

## HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 23, 1939

The House met at 12 o'clock noon.

Rev. John Compton Ball, pastor of the Metropolitan Baptist Church, Washington, D. C., offered the following prayer:

Unto Thee, O Lord, do we lift our souls for the activities of a new day, and with joy in our hearts and praises on our lips we acknowledge Thy holiness, wisdom, power, and

loving kindness. We thank Thee for life and the blessings bestowed upon us as a nation, and pray that we may stand firm for the privileges given us by the sacrifices of our forefathers.

To this end, endure our President with divine wisdom. Give to our beloved Speaker of this House of Representatives the guidance of Thy Holy Spirit in his leadership and decisions. May every Member be motivated not by the fear of men but by faith in God; for, conscious of the needs of our constituents and the great national problems that confront us, we feel unequal to the task unless we possess wisdom from on high. So we plead for Thy continued guidance this day and every day; and as the physical sunshine floods the land with light, so may our hearts be illuminated and warmed by the sunshine of Thy divine presence and love. In the name of Jesus, our Lord. Amen.

The Journal of the proceedings of Friday, January 20, 1939, was read and approved.

#### MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

#### SPECIAL COMMITTEE TO INVESTIGATE MATTERS PERTAINING TO REPLACEMENT AND CONSERVATION OF WILDLIFE

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 28.

The Clerk read the resolution, as follows:

#### House Resolution 28

*Resolved*, That the Special Committee to Investigate All Matters Pertaining to the Replacement and Conservation of Wildlife is authorized to continue the investigation begun under authority of House Resolution 237 of the Seventy-third Congress, continued under authority of House Resolution 44 of the Seventy-fourth Congress and House Resolution 11 of the Seventy-fifth Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 237 of the Seventy-third Congress, and shall report to the House as soon as practicable, but not later than January 3, 1941, the results of its investigations, together with its recommendations, for necessary legislation. Any unexpended balance of the total amount authorized for the use of the said special committee under House Resolution 97 of the Seventy-fifth Congress is hereby continued available until said date.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Virginia tell us how much unexpended money is in the Treasury available to the committee?

Mr. ROBERTSON. I could not tell the gentleman the exact amount, but enough to finish the work of the committee for the full calendar year of 1939. This appropriation was made available to us in 1937 and we worked during 1937 and 1938 and we will have enough to work throughout 1939 out of the one appropriation.

Mr. MARTIN of Massachusetts. What does the gentleman propose to do for the year 1940?

Mr. ROBERTSON. We will ask for enough money to continue the work of the committee during that time, and I may say to the gentleman there has never been a special investigating committee of the House that has operated for as little money or has saved the Government more money than this Committee on Conservation of Wildlife Resources.

Mr. MARTIN of Massachusetts. Will the gentleman tell us in a few words what his committee has accomplished and what he hopes to accomplish?

Mr. ROBERTSON. We have coordinated the conservation activities of the emergency agencies; we have coordinated the regular departments with these emergency agencies; and we have directed the tremendous expenditures of the C. C. C. camps into very constructive channels in preserving a great natural resource, the wildlife of the country, in building dams and reservoirs to check the run-off and to restore water levels. We have cooperated with the Soil Conservation Service, and only on the 10th of this month were we able to get an amendment to the regulation paying soil-improvement benefits to

farmers to cover the planting of annuals and perennials, legumes, and shrubs for the improvement of the habitat of wildlife. There are literally millions of acres of waste or arid lands serving no purpose, not suited for agriculture. We can build that land up or encourage the farmers to do so through cooperative agreements, instruction in farm management, and by distributing free Korean lespedeza, for instance, a soil builder, and a soil holder, and a wonderful food supply for birds of all kinds. The past work of our committee and plans for the future were summarized in a 29-page report submitted to the House on January 3.

Mr. MARTIN of Massachusetts. It strikes me the committee has quite a program and the gentleman might well consider having this committee made a standing committee of the House. Has the committee given any consideration to that?

Mr. ROBERTSON. There has been a big demand for that to be done, but we have not asked for it, for two reasons. In the first place, a standing committee would be more expensive to the Congress. In the second place, under the plan under which the Democrats work, a member of an exclusive committee cannot be a member of any minor committee, and this would exclude from membership on this committee those with technical knowledge of what is to be done because they all have major committee assignments.

Mr. MARTIN of Massachusetts. Mr. Speaker, I think the gentleman has made out a very good case and I have no objection.

Mr. MAPES. Reserving the right to object, Mr. Speaker, I notice this resolution was introduced on January 3 and referred to the Committee on Rules. May I ask the gentleman from Virginia if he has made any request of the chairman of the committee to report the resolution?

Mr. ROBERTSON. I have, and he said last week he would be very glad to report it, but he had not had the members assigned to his committee. The chairman is now out of the city on important business, I understand, and will not be back until the last of the week. I am sure he would have no objection, because he is in thorough sympathy with the resolution. We have a large volume of work to be handled all the time, and there should be no break in the committee's activities.

Mr. MAPES. Has the gentleman from Virginia spoken to the chairman of the Committee on Rules about calling it up in this way?

Mr. ROBERTSON. No, because he is out of the city; but I am sure I can say that he would have no objection, as we have handled it previously in this way. In 1935 we handled it by unanimous consent.

Mr. MAPES. Of course, I realize the gentleman from Illinois [Mr. SABATH], the chairman of the committee, is able to take care of himself, but let me say to the gentleman from Virginia, first, as he knows, I am very much in favor of the work which he has been doing as chairman of this committee, but let me say further that there are several resolutions of this nature pending before the Committee on Rules, and it seems to me there is some question about the form of the resolution and some other questions which ought to be considered by the Committee on Rules.

Mr. ROBERTSON. Mr. Speaker, the resolution is in the exact language of previous resolutions, and on one previous occasion we handled the resolution in this manner by unanimous consent.

Mr. WARREN. Mr. Speaker, will the gentleman from Michigan yield?

Mr. MAPES. Yes.

Mr. WARREN. Mr. Speaker, I am very much in favor of the continuance of this committee, but I shall object to its present consideration because it is subject to a point of order. The resolution should not be brought in in the form in which it is presented. I object.

#### EXTENSION OF REMARKS

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record, and to in-



clude therein several brief addresses delivered at the dedicatory exercises of a Federal building in Maryland.

The SPEAKER. Is there objection?

Mr. HALLECK. Mr. Speaker, I reserve the right to object. On Friday last I offered for the RECORD, by asking unanimous consent, an article written by one of our colleagues the gentleman from New York [Mr. BARTON]. That unanimous-consent request was refused through the objection of a gentleman on the majority side. What I would like to know is whether or not we are still operating under the rules which I have understood to prevail, to the effect that articles by Members themselves are not objected to when they are offered for the RECORD.

Mr. COLE of Maryland. Mr. Speaker, I am sure the gentleman does not expect me to answer that question.

Mr. BUCK. Mr. Speaker, I reserve the right to object. I think it is incumbent upon me to respond to my good friend and colleague from Indiana [Mr. HALLECK] because I objected to his offering the article in question on Friday last. It is not my intention, nor is it the intention, as far as I know, of anyone on the majority side, to object to the inclusion of remarks of Members themselves if made by a Member, whether of the majority or the minority party, over the radio, or to the inclusion of brief editorials; but it seems to me that the Joint Committee on Printing ought to consider whether we are going to be permitted to put whole books into the RECORD. This particular article would have taken up so many pages in the RECORD that I objected to it, and I shall continue to object to anything like that, whether it comes from my own side or the Republican side.

Mr. MARTIN of Massachusetts. But the gentleman thoroughly well knows that articles that go far beyond what the gentleman from Indiana offered, so far as the number of pages is concerned, have been permitted to be placed in the RECORD, and the gentleman has been silent, so far as I know, when they were offered.

Mr. BUCK. Oh, the gentleman knows that I have not been here during the sessions when everything has been offered. I appreciate the position of the minority leader in this matter, but it strikes me that he and the majority leader and the Committee on Printing ought to get together and adopt some definite policy as to what is going to go into the RECORD.

Mr. MARTIN of Massachusetts. That could not be done, and the majority leader has admitted it. Consequently we take the attitude that if gentlemen on that side object to our requests, we will object to their requests.

The regular order was demanded.

The SPEAKER. The regular order has been demanded. Is there objection?

Mr. HALLECK. I object.

ACTING CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read:

January 23, 1939.

The Honorable WILLIAM B. BANKHEAD,  
Speaker of the House of Representatives.

SIR: Desiring to be temporarily absent from my office, I hereby designate Mr. H. Newlin Megill, an official in my office, to sign any and all papers for me which he would be authorized to sign by virtue of this designation and of clause 4, rule III of the House. Respectfully yours,

SOUTH TRIMBLE,  
Clerk of the House of Representatives.

NATIONAL RESOURCE (H. DOC. NO. 122)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith for the information of the Congress a report entitled "Research—a National Resource," compiled by the National Resources Committee.

This report deals with the relation of the Federal Government to research. Subsequent reports in this field will cover research by colleges, universities and foundations, by business organizations, by the industrial laboratories, and by the State and municipal governments.

The dependence of civilization on science is universally recognized, but the extent of the activities of private and public agencies carrying on scientific inquiry is not generally known. It is unlikely that large numbers of our people have any adequate realization of the services which are being rendered by the executive agencies of the Federal Government through scientific researches in medicine, agriculture, economics, public administration, and the other natural and social sciences.

This report indicates the new emphasis in recent years on activities in the social-science fields and stresses the need for effective coordination of all agencies engaged in research in order to achieve the solution of many of our more difficult problems.

I commend the report to the consideration of the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 23, 1939.

FOREIGN SERVICE RETIREMENT (H. DOC. NO. 121)

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1938, in connection with the Foreign Service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 23, 1939.

PUBLIC HEALTH (H. DOC. NO. 120)

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed:

*To the Congress of the United States:*

In my annual message to the Congress I referred to problems of health security. I take occasion now to bring this subject specifically to your attention in transmitting the report and recommendations on national health prepared by the Interdepartmental Committee to Coordinate Health and Welfare Activities.

The health of the people is a public concern, ill health is a major cause of suffering, economic loss, and dependency; good health is essential to the security and progress of the Nation.

Health needs were studied by the Committee on Economic Security which I appointed in 1934, and certain basic steps were taken by the Congress in the Social Security Act. It was recognized at that time that a comprehensive health program was required as an essential link in our national defenses against individual and social insecurity. Further study, however, seemed necessary at that time to determine ways and means of providing this protection most effectively.

In August 1935, after the passage of the Social Security Act, I appointed the Interdepartmental Committee to Coordinate Health and Welfare Activities. Early in 1938, this committee forwarded to me reports prepared by their technical experts. They had reviewed unmet health needs, pointing to the desirability of a national health program, and they submitted the outlines of such a program. These reports were impressive. I therefore suggested that a conference be held to bring the findings before representatives of the general

public and of the medical, public health, and allied professions.

More than 200 men and women, representing many walks of life and many parts of our country, came together in Washington last July to consider the technical committee's findings and recommendations and to offer further proposals. There was agreement on two basic points: The existence of serious unmet needs for medical service; and our failure to make full application of the growing powers of medical science to prevent or control disease and disability.

I have been concerned by the evidence of inequalities that exist among the States as to personnel and facilities for health services. There are equally serious inequalities of resources, medical facilities, and services in different sections and among different economic groups. These inequalities create handicaps for the parts of our country and the groups of our people which most sorely need the benefits of modern medical science.

The objective of a national health program is to make available in all parts of our country and for all groups of our people the scientific knowledge and skill at our command to prevent and care for sickness and disability; to safeguard mothers, infants, and children; and to offset through social insurance the loss of earnings among workers who are temporarily or permanently disabled.

The committee does not propose a great expansion of Federal health services. It recommends that plans be worked out and administered by States and localities, with the assistance of Federal grants-in-aid. The aim is a flexible program. The committee points out that while the eventual costs of the proposed program would be considerable they represent a sound investment which can be expected to wipe out, in the long run, certain costs now borne in the form of relief.

We have reason to derive great satisfaction from the increase in the average length of life in our country and from the improvement in the average levels of health and well-being. Yet these improvements in the averages are cold comfort to the millions of our people whose security in health and survival is still as limited as was that of the Nation as a whole 50 years ago.

The average level of health or the average cost of sickness has little meaning for those who now must meet personal catastrophes. To know that a stream is 4 feet deep on the average is of little help to those who drown in the places where it is 10 feet deep. The recommendations of the committee offer a program to bridge that stream by reducing the risks of needless suffering and death, and of costs and dependency, that now overwhelm millions of individual families and sap the resources of the Nation.

I recommend the report of the Interdepartmental Committee for careful study by the Congress. The essence of the program recommended by the committee is Federal-State cooperation. Federal legislation necessarily precedes, for it indicates the assistance which may be made available to the States in a cooperative program for the Nation's health.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 23, 1939.

#### APPOINTMENTS TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer the following privileged resolution, which I send to the desk and ask to have read:

The Clerk read as follows:

#### House Resolution 64

*Resolved*, That the following Members be, and they are hereby, elected members of the standing committees of the House of Representatives, as follows:

Accounts: James Wolfenden, Pennsylvania; Leo E. Allen, Illinois; Lewis D. Thill, Wisconsin; Fred C. Gartner, Pennsylvania.

Agriculture: Clifford R. Hope, Kansas; J. Roland Kinzer, Pennsylvania; Fred C. Gilchrist, Iowa; August H. Andresen, Minnesota; Clare E. Hoffman, Michigan; Bert Lord, New York; William Lemke, North Dakota; Ralph O. Brewster, Maine; Anton J. Johnson, Illinois; Reid F. Murray, Wisconsin; Samuel W. King, Hawaii.

Banking and Currency: Jesse P. Wolcott, Michigan; Charles L. Gifford, Massachusetts; Robert Luce, Massachusetts; Fred L. Crawford, Michigan; Ralph A. Gamble, New York; Richard M. Simpson,

Pennsylvania; Noble J. Johnson, Indiana; Robert W. Kean, New Jersey; Jessie Sumner, Illinois; William J. Miller, Connecticut.

Census: J. Roland Kinzer, Pennsylvania; Frederick C. Smith, Ohio; Robert A. Grant, Indiana; Charles Hawks, Jr., Wisconsin; William H. Wheat, Illinois; Carl T. Curtis, Nebraska; Leland M. Ford, California.

Civil Service: Edith Nourse Rogers, Massachusetts; Charles A. Halleck, Indiana; Edward H. Rees, Kansas; Albert L. Vreeland, New Jersey; L. L. Marshall, Ohio; J. Francis Harter, New York;

Claims: J. Parnell Thomas, New Jersey; Lewis K. Rockefeller, New York; Thomas D. Winter, Kansas; Frank B. Keefe, Wisconsin; Ivor D. Fenton, Pennsylvania; Leonard W. Hall, New York.

Coinage, Weights, and Measures: Chauncey W. Reed, Illinois; August H. Andresen, Minnesota; Robert Luce, Massachusetts; E. Harold Cluett, New York; Leonard W. Hall, New York; Fred C. Gartner, Pennsylvania; Frederick C. Smith, Ohio.

Disposition of Executive Papers: Bertrand W. Gearhart, California.

District of Columbia: Everett M. Dirksen, Illinois; George J. Bates, Massachusetts; Paul W. Shafer, Michigan; Leland M. Ford, California; Stephen Bolles, Wisconsin; Albert L. Vreeland, New Jersey; James Secombe, Ohio.

Education: George A. Dondero, Michigan; Frank C. Osmer, Jr., New Jersey; Robert A. Grant, Indiana; Joshua L. Johns, Wisconsin; Karl E. Mundt, South Dakota; John C. Kunkel, Pennsylvania;

Election of President, Vice President, and Representatives in Congress: George Holden Tinkham, Massachusetts; Ralph A. Gamble, New York; George H. Heinke, Nebraska; Frank C. Osmer, Jr., New Jersey; Earl R. Lewis, Ohio.

Elections No. 1: Clarence E. Hancock, New York; L. L. Marshall, Ohio; Albert L. Vreeland, New Jersey.

Elections No. 2: Francis D. Culkin, New York; William W. Blackney, Michigan; John McDowell, Pennsylvania.

Elections No. 3: Charles A. Plumley, Vermont; Ralph A. Gamble, New York; Lewis D. Thill, Wisconsin.

Enrolled Bills: Charles A. Eaton, New Jersey; John G. Alexander, Minnesota; Ivor D. Fenton, Pennsylvania.

Expenditures in the Executive Department: Charles L. Gifford, Massachusetts; Clare E. Hoffman, Michigan; D. Lane Powers, New Jersey; Stephen Bolles, Wisconsin; Cliff Clevenger, Ohio; John C. Kunkel, Pennsylvania; Henry O. Talle, Iowa.

Flood Control: Harry L. Englebright, California; Charles R. Clason, Massachusetts; Earl R. Lewis, Ohio; Harve Tibbott, Pennsylvania; Carl T. Curtis, Nebraska; Thomas R. Ball, Connecticut; H. Carl Andersen, Minnesota.

Foreign Affairs: Hamilton Fish, New York; Charles A. Eaton, New Jersey; George Holden Tinkham, Massachusetts; Edith Nourse Rogers, Massachusetts; Bruce Barton, New York; Robert B. Chipfield, Illinois; Robert J. Corbett, Pennsylvania; John M. Vorys, Ohio; Foster Stearns, New Hampshire; Andrew C. Schiffer, West Virginia.

Immigration and Naturalization: J. Will Taylor, Tennessee; Noah M. Mason, Illinois; Edward H. Rees, Kansas; Lewis K. Rockefeller, New York; Cliff Clevenger, Ohio; John Z. Anderson, California; Henry O. Talle, Iowa; Samuel W. King, Hawaii.

Indian Affairs: Fred C. Gilchrist, Iowa; Usher L. Burdick, North Dakota; Fred J. Douglas, New York; John C. Schafer, Wisconsin; Frederick C. Smith, Ohio; Karl E. Mundt, South Dakota; Fred Bradley, Michigan; Carl T. Curtis, Nebraska.

Insular Affairs: Richard J. Welch, California; W. Sterling Cole, New York; Fred L. Crawford, Michigan; Frank C. Osmer, Jr., New Jersey; William H. Wheat, Illinois; Karl M. LeCompte, Iowa; Charles Hawks, Jr., Wisconsin; Samuel W. King, Hawaii.

Invalid Pensions: Ralph O. Brewster, Maine; John C. Schafer, Wisconsin; Robert F. Jones, Ohio; Stephen Bolles, Wisconsin; Robert A. Grant, Indiana; H. Carl Andersen, Minnesota; John C. Kunkel, Pennsylvania.

Irrigation and Reclamation: Dewey Short, Missouri; Charles Hawks, Jr., Wisconsin; Thomas D. Winter, Kansas; Karl E. Mundt, South Dakota; Henry C. Dworshak, Idaho; J. Thorkelson, Montana; Frank O. Horton, Wyoming.

Judiciary: U. S. Guyer, Kansas; Clarence E. Hancock, New York; Earl C. Michener, Michigan; John M. Robson, Kentucky; Chauncey W. Reed, Illinois; John W. Gwynne, Iowa; Louis E. Graham, Pennsylvania; Wallace E. Pierce, New York; B. J. Monkiewicz, Connecticut; Raymond S. Springer, Indiana.

Labor: Richard J. Welch, California; Fred A. Hartley, Jr., New Jersey; Clyde H. Smith, Maine; Bruce Barton, New York; Gerald W. Landis, Indiana; Chester H. Gross, Pennsylvania; George H. Heinke, Nebraska.

Library: Allen T. Treadway, Massachusetts; Bert Lord, New York. Memorials: Frank Crowther, New York.

Merchant Marine and Fisheries: Richard J. Welch, California; Francis D. Culkin, New York; George N. Seger, New Jersey; James C. Oliver, Maine; Joseph J. O'Brien, New York; Harry Sandager, Rhode Island; Frank B. Keefe, Wisconsin; Samuel W. King, Hawaii.

Military Affairs: Walter G. Andrews, New York; Dewey Short, Missouri; Leslie C. Arends, Illinois; Charles R. Clason, Massachusetts; Albert G. Rutherford, Pennsylvania; J. Parnell Thomas, New Jersey; Paul W. Shafer, Michigan; Thomas E. Martin, Iowa; Charles H. Elston, Ohio; Forest A. Harness, Indiana; Samuel W. King, Hawaii.

Mines and Mining: Harry L. Englebright, California; John M. Robson, Kentucky; Fred Bradley, Michigan; Gerald W. Landis, Indiana; Earl R. Lewis, Ohio; Ivor D. Fenton, Pennsylvania; Thomas D. Winter, Kansas.



Naval Affairs: Melvin J. Maas, Minnesota; Ralph E. Church, Illinois; James W. Mott, Oregon; W. Sterling Cole, New York; George J. Bates, Massachusetts; William E. Hess, Ohio; George P. Darrow, Pennsylvania; Arthur B. Jenks, New Hampshire; Thomas M. Eaton, California; Walter S. Jeffries, New Jersey; Samuel W. King, Hawaii. Patents: Fred A. Hartley, Jr., New Jersey; Leslie C. Arends, Illinois; Ralph E. Church, Illinois; Charles A. Wolverton, New Jersey; Robert Luce, Massachusetts; James E. Van Zandt, Pennsylvania; L. L. Marshall, Ohio.

Pensions: Fred J. Douglas, New York; Charles L. Gerlach, Pennsylvania; Harry N. Routzohn, Ohio; Henry C. Dworshak, Idaho; J. Francis Harter, New York; John G. Alexander, Minnesota;

Post Office and Post Roads: Fred A. Hartley, Jr., New Jersey; E. Harold Cluett, New York; Noah M. Mason, Illinois; Charles F. Risk, Rhode Island; William W. Blackney, Michigan; Ben F. Jensen, Iowa; Albert E. Austin, Connecticut; James Secombe, Ohio; George W. Gillie, Indiana; John McDowell, Pennsylvania.

Printing: Robert F. Rich, Pennsylvania.

Public Buildings and Grounds: Pehr G. Holmes, Massachusetts; Clyde H. Smith, Maine; Albert G. Rutherford, Pennsylvania; John C. Schafer, Wisconsin; John Z. Anderson, California; Thomas R. Ball, Connecticut; Fred Bradley, Michigan.

Public Lands: Harry L. Englebright, California; James W. Wadsworth, New York; James W. Mott, Oregon; Fred J. Douglas, New York; J. Thorkelson, Montana; Frank O. Horton, Wyoming; Henry C. Dworshak, Idaho;

Revision of the Laws: Earl C. Michener, Michigan; John M. Robison, Kentucky; Harry N. Routzohn, Ohio; Lewis D. Thill, Wisconsin.

Rivers and Harbors: George N. Seger, New Jersey; Albert E. Carter, California; Francis D. Cuklin, New York; George A. Dondoro, Michigan; William A. Pittenger, Minnesota; Robert L. Rodgers, Pennsylvania; Homer D. Angell, Oregon; George S. Williams, Delaware; George H. Bender, Ohio; Harry W. Griswold, Wisconsin; Samuel W. King, Hawaii.

Roads: Jesse P. Wolcott, Michigan; James W. Mott, Oregon; Cassius C. Dowell, Iowa; Robert F. Jones, Ohio; Frank O. Horton, Wyoming; Leland M. Ford, California; H. Carl Andersen, Minnesota.

Territories: Cassius C. Dowell, Iowa; Lewis K. Rockefeller, New York; Usher L. Burdick, North Dakota; Robert F. Jones, Ohio; J. Thorkelson, Montana; George H. Heinke, Nebraska; Joshua L. Johns, Wisconsin; Fred C. Gartner, Pennsylvania; Samuel W. King, Hawaii.

War Claims: Clare E. Hoffman, Michigan; Clyde H. Smith, Maine; Harve Tibbott, Pennsylvania; Chester H. Gross, Pennsylvania; Joshua L. Johns, Wisconsin; Joseph J. O'Brien, New York;

World War Veterans: Edith Nourse Rogers, Massachusetts; Albert J. Engel, Michigan; James C. Oliver, Maine; James E. Van Zandt, Pennsylvania; Charles L. Gerlach, Pennsylvania; John G. Alexander, Minnesota; Harry N. Routzohn, Ohio; Leonard W. Hall, New York.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

NAVAL AFFAIRS COMMITTEE—LEAVE TO SIT DURING SESSIONS OF THE HOUSE

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs be permitted to sit during the sessions of the House while that committee is considering H. R. 2880.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Do I understand the gentleman is going to begin hearings on the naval construction bill?

Mr. VINSON of Georgia. Yes; on Wednesday next.

Mr. MARTIN of Massachusetts. When is it the gentleman's purpose to bring that bill to the House?

Mr. VINSON of Georgia. I am hoping that we may be able to finish the work by at least this day one week.

Mr. MARTIN of Massachusetts. And will that give ample opportunity for everyone to be heard by the committee?

Mr. VINSON of Georgia. I am sure that ample opportunity will be accorded everyone.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent that, after the completion of the special orders on tomorrow, Tuesday, I may address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

LXXXIV—41

# EXTENSION OF REMARKS

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech made on Saturday, January 21, over the network of the National Broadcasting Co.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I shall have to object to that.

Mr. HILL. These are my own remarks.

Mr. MARTIN of Massachusetts. It was the gentleman's own remarks that were objected to on Friday by one of the Members on your side also.

## FIRST DEFICIENCY APPROPRIATION BILL—FISCAL YEAR 1939

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 2868) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide supplemental appropriations for the fiscal year ending June 30, 1939, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 2868, with Mr. Doxey in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Friday last, there was pending a point of order.

Mr. WOODRUM of Virginia. Mr. Chairman, at the time the Committee rose on Friday there was pending before the Chair a point of order made by the gentleman from New York [Mr. TABER], that the item for the erection of the Census Building was subject to a point of order because it exceeded the authorization.

The act of May 25, 1926, section 5, alluded to by the gentleman, placed a limitation of \$50,000,000 on certain types of buildings that might be erected in the District of Columbia, including the acquisition of land. That act was amended by the act of January 13, 1928, Forty-fifth Statutes at Large, page 52, increasing the authorization by \$25,000,000. That amount was all for land. It was further amended by the act of March 31, 1930, Forty-sixth Statutes, page 136, by increasing prior authorizations an additional \$115,000,000, making a total authorization of \$190,000,000, \$40,000,000 being for land and \$150,000,000 for buildings.

Chargeable to these authorizations, buildings have been authorized in the amount of \$142,773,092.08, and appropriations of \$28,680,000 have been made under the authorizations for land acquisitions. This leaves a balance to the credit of the authorization for buildings of \$7,226,908, and under the land authorization of \$40,000,000, a difference to the credit of the authorization of \$11,320,000.

Mr. Chairman, I have personally verified these figures from the Procurement Division of the Treasury Department. Therefore there is authorization for the item set out in the deficiency bill of \$3,300,000 for the Census Building.

The CHAIRMAN. Does the gentleman from New York [Mr. TABER] desire to be heard?

Mr. TABER. I do, Mr. Chairman.

The act of January 13, 1928, was limited entirely to the acquisition of land. The total authorization which is available in both brackets—that is, for buildings and sites—is \$165,000,000. When you consider that authorization, of course, you have to omit from the additions those purchases which were made prior to the original act. The total authorizations for the purpose of constructing these buildings is \$165,000,000.

Turning to the figures that I have obtained from the Procurement Division, the expenditures for those purposes and the appropriations, with the limits of cost fixed, run a total of \$175,341,358.22. With that picture I still submit that the authorizations heretofore made have already been exceeded and that this appropriation is not authorized by the statutes that have been referred to, or by any other, so far as I know.

The CHAIRMAN. Has the gentleman from New York concluded his statement?

Mr. TABER. I have, insofar as that primary statement is concerned. It seems to me it is up to the person proposing to sustain a proposed law against which a point of order has been made to submit the details indicating what their position is, so that we may go into that question just as far as we can verify the whole situation.

I have before me and am prepared to cite the different acts making appropriations, as far as I am relying on them. I have before me the Budget estimates out of which certain allotments were made. I think the whole matter can be very easily straightened out if it were presented in that way. It would appear clearly that the authorization for the construction of this building has already been exceeded.

The CHAIRMAN. Does the gentleman from Virginia desire to reply to the gentleman from New York?

Mr. WOODRUM of Virginia. Merely to say, Mr. Chairman, that I have just cited to the Chair and to Committee the fact that we have not only examined the statutes, but I have a statement over the signature of the Director of the Procurement Division which shows the facts just as I indicated them, that there has been a total authorization of \$150,000,000 for buildings alone and a total authorization of \$40,000,000 for land purchases. I have investigated the acts, the clerk of the committee has investigated them, and I have a statement as to the accuracy of the facts over the signature of the Director of the Procurement Division. I think that disproves his case.

So, Mr. Chairman, the burden is upon the gentleman from New York to show that his facts in support of his point of order are accurate and not upon me to disprove them.

Under the ordinary rules of procedure the burden of proof to sustain a point of order is upon the party by whom it is made.

The CHAIRMAN. The Chair is ready to rule, unless the gentleman from New York desires to reply to the gentleman from Virginia.

Mr. TABER. Mr. Chairman, I repeat, it has always been the rule in considering points of order that the burden is entirely upon the party who seeks to bring his legislation within the authorization—to make his case.

I have before me, which I call to the attention of the Chair, a list of buildings and costs, and I have my adding-machine lists showing what the various items total, if the Chair would like to have it. I can go down the line and cover each item if the Chair requires that I cover it.

The CHAIRMAN. The Chair is not requiring anything. The Chair is merely affording an opportunity to have all the facts presented.

Mr. TABER. But, Mr. Chairman, I submit the burden is upon the party seeking to sustain the authorization.

The CHAIRMAN. The Chair does not require it, but the gentleman may proceed, if he so desires.

Mr. TABER. I desire to call the attention of the Chair to the following buildings that have been constructed, the date of that authorization, and the amount of their cost:

Name of building	Appropriation act and in some cases part of the appropriation	Cost
<b>Agriculture:</b>		
Economics Building	July 3, 1926	\$325,000.00
Administration Building	do	2,000,000.00
Power plant	July 3, 1930	85,000.00
South Building	July 3, 1926	13,879,131.00
Archives	do	8,578,000.00
Central heating plant	Mar. 4, 1931	4,516,893.00
Commerce	July 3, 1926	17,500,000.00
Government Printing Office (first annex)	do	1,245,492.00
Internal Revenue (original building)	do	10,000,000.00
Interstate Commerce Commission	July 3, 1930	4,500,000.00
Justice	do	15,877,860.00
Labor	do	4,750,000.00
Interstate Commerce Commission—Labor wing (auditorium, etc.)	do	5,288,973.31
Liberty Loan	July 3, 1926	308,510.21
Post Office Department	July 3, 1930	11,730,543.00
Public Health	do	908,250.00

Name of building	Appropriation act and in some cases part of the appropriation	Cost
Supreme Court	Feb. 28, 1927	\$1,768,735.00
Triangle landscape	July 3, 1930	50,000.00
General appropriations for water lines and incidentals	Dec. 22, 1927	525,000.00
Bureau of Engraving and Printing	Aug. 12, 1935	6,325,000.00
Government Printing Office	do	7,700,000.00
General Accounting Office	do	4,700,000.00
War	June 25, 1938	10,815,000.00
Social Security and Railroad Retirement Board	do	14,250,000.00
Total		147,627,387.52

<sup>1</sup>Land only.

The following were erected by P. W. A. allotments:

Name of building	Date of allotment	Amount
Internal Revenue extension	Jan. 11, 1934	\$2,102,000.00
Procurement Division extension	Dec. 14, 1933	1,675,281.00
Apex	Nov. 9, 1935	5,679,193.00
Archives (stacks and some interior extension)	Sept. 27, 1934	3,610,000.00
Interior	Nov. 17, 1934	13,588,421.00
Miscellaneous items (War Department site, reservation D; Zoo Park, Treasury Building, work, etc.)		2,460,075.72
Total		29,114,970.72

Every one of these expenditures was chargeable to the \$165,000,000 authorization. The expenditures for the purchase of land were for land acquired before the authorization for the purchase of land was increased, or before the \$25,000,000 was set up for that purpose. The total of all these items I have enumerated is \$176,000,000, or \$11,000,000 more than the authorization for building construction.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WOODRUM of Virginia. The gentleman has read a number of items that come under the head of Public Works Administration construction. In that connection, Mr. Chairman, I should like to read a paragraph from the letter I have from the Director of the Procurement Division.

In the first place, may I say, these items are not properly chargeable to this authorization. The Director of Procurement writes:

The foregoing does not take into account expenditures aggregating \$27,272,933.72, itemized on the third page of exhibit 2, for buildings and other improvements constructed in the District of Columbia under allotments by the Public Works Administration. These allotments were pursuant to Title 2 of the National Industrial Recovery Act (48 Stat. 201), as extended by section 12 of the Emergency Relief Appropriation Act of 1935 (49 Stat. 119), and section 201 of the Public Works Administration Extension Act of 1937 (50 Stat. 357). Under section 202 of the National Industrial Recovery Act the Administrator was directed to prepare the program of Public Works, which included: "(a) Construction, repair, and improvement of \* \* \* public buildings \* \* \*; and under section 203 (a) the President was authorized and empowered, through the Administrator or through such other agencies as he might designate, to construct any public-works project included in that program, and the last sentence of the section made its provisions expressly applicable to public works in the District of Columbia. This legislation contained no reference to the Public Buildings Act of May 25, 1926, *supra*, and did not otherwise limit the amount expendable under the program for projects in the District of Columbia. It has not been considered that expenditures under this program are chargeable to the total amount authorized for appropriation for projects in the District of Columbia under the Public Buildings Act, and the amendatory legislation relative thereto.

Mr. TABER. Mr. Chairman, I would like to be heard on that particular subject.

These allotments were made out of funds appropriated to the President and were allotted for the purpose of constructing certain authorized projects. I cannot see why this operation does not operate as a satisfaction of the authorization. If it is going to be held that every time an appropriation bill is brought in here it must specify the statutory basis for its authority, we are going to be in very serious



trouble because not 1 out of 20 items gives any such citation. There is not any question but that statutory authority existed and the appropriation was made. The authority was delegated to the President to allot it and he allotted money for the construction of these authorized projects. The authorization was satisfied as a result of those allotments.

Mr. LANHAM. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. LANHAM. Was not a part of the original expenditure for the erection of the Department of Commerce Building for the purpose of housing the Bureau of the Census, and was not the building enlarged on that account; therefore, has not that part of the appropriation which might have been applied to the Bureau of the Census already been used in preparing suitable quarters for the Bureau in the present Department of Commerce Building?

Mr. TABER. I think that is true.

The CHAIRMAN. The Chair is ready to rule.

When this point of order was raised on Friday last, the Chair was in some doubt as to whether the appropriation in the pending paragraph was authorized under existing law. The citation to the act of May 25, 1926, contained in the paragraph, seemed to place a limitation upon the amount of money that could be appropriated for the construction of buildings within the District of Columbia. Since last Friday the Chair has had an opportunity of looking into the laws authorizing construction within the District of Columbia. The Chair has found that the act of May 25, 1926, has been amended on two specific occasions—first by the act of January 13, 1928 (45 Stat. 52), and, second, by the act of March 31, 1930 (46 Stat. 136). These amendatory acts have increased the authorization for the District of Columbia to \$150,000,000 for the construction of buildings and \$40,000,000 for the acquisition of lands for such buildings.

The gentleman from Virginia [Mr. Woodrum] has submitted for the inspection of the Chair a letter addressed to him over the signature of the Director of Procurement of the Treasury Department. The Chair finds in that communication—and of course the Chair must rely upon the statement of an officer of the Government over his signature—that of the \$150,000,000 authorized by construction in the District of Columbia \$142,773,092.08 has already been authorized, thus leaving of the original authorization a sum of \$7,226,908 for future appropriations. Of the \$40,000,000 authorized for the acquisition of land there remains unallotted and unappropriated the sum of \$11,320,000. It is manifest, therefore, that under the acts heretofore referred to by the Chair there is sufficient authorization within the limit of cost set in those acts for an appropriation of \$3,500,000 for the construction of a Census Building. The Chair desires also to point out that the Director of Procurement in his letter to Mr. Woodrum specifically states that the erection of the new Census Building is within the area defined in the authorization acts.

The question has also been raised as to whether the construction of public buildings in the District of Columbia under allotments by the Public Works Administration should be chargeable against a limitation of \$150,000,000 set by the Public Buildings Act of 1926, as amended. The Chair has examined carefully title 2 of the National Industrial Recovery Act, section 12 of the Emergency Relief Appropriation Act of 1935, and section 201 of the Public Works Administration Extension Act of 1937. These acts contained no reference to the Public Buildings Act of May 25, 1926, as amended, and did not otherwise limit the amount expendable for projects in the District of Columbia as authorized by the Public Buildings Act. It seems to the Chair, therefore, that the moneys used under the Public Works Administration for the construction of buildings in the District of Columbia should not be chargeable to the total amount authorized for projects in the District of Columbia under the Public Buildings Act, as amended. The Chair is fortified in this opinion by the fact that the Director of Procurement of

the Treasury Department has placed a like construction upon this proposition.

For these reasons the Chair is of the opinion that the appropriation herein provided is within the authorization set by Congress and, therefore, conforms with the rules of the House. The Chair, therefore, overrules the point of order.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent to return to the consideration of page 3 of the bill, line 3, to an item making appropriation for the New England hurricane damage and that it may be in order to make a point of order against this unauthorized expenditure.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. TABER. Mr. Chairman, I object.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 6, line 6, strike out from line 6 to line 16, inclusive.

Mr. DIRKSEN. Mr. Chairman, the point of this amendment is to strike out the entire section of the bill which provides \$3,500,000 for the acquisition of land and the erection of the new building for the Census Bureau in the Department of Commerce.

On Thursday last I acquainted the House with the amount of space being rented by the Federal Government both in and outside the District of Columbia and also gave some totals as to the number of buildings that have been erected, to indicate the extent to which governmental functions have increased. I recognize the fact that there are some functions of the Government that cannot be moved out of the Nation's Capital. Certainly, no one would pretend that you could take the Department of State, the Department of Labor, or the Department of the Interior and move them to other sections of the country, because their functions must be coordinated with other functions that are being carried on here. Conversely, however, there are some functions that can be moved from the District of Columbia. It occurs to me that the taking of the census and the tabulating of the results is one of such functions.

This can very well be done at this time without prejudicing the work of the Census Bureau or any acquisitions that have been made under the proposal in this bill. If you will examine page 21 of the hearings you will find that Admiral Peoples testified that thus far no land has been acquired for this purpose. Secondly, if you will examine the hearings on page 24 you will find that 200,000 square feet of space is now available with which to carry on the preliminary work. Since those who are conducting this work have testified before the committee that it is a progressive build-up of personnel, I think it is a fair inference from the hearings that space is now available for the work that must be done for awhile, at least. Consequently we can give some attention to the proposal to move this whole function to some other section of the country by deferring action on a new building at this time.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield briefly.

Mr. COLMER. As I understand, the purpose of the gentleman's amendment, as stated, is to cut out this entire section of the bill?

Mr. DIRKSEN. The gentleman is correct.

Mr. COLMER. I notice on reading the amendment that it cuts out lines 6 to 11. I thought I might just call the attention of the gentleman to that fact.

Mr. DIRKSEN. No; the amendment covers from line 6 to line 16.

Mr. COLMER. I believe if the gentleman will observe his amendment he will find it covers to line 11.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that if that mistake appears in the amendment the amendment may be changed to read "line 16" instead of "line 11."

The CHAIRMAN. The Chair may say that the amendment covers lines 6 to 16.

Mr. DIRKSEN. I thought it was line 16, and I think it was properly phrased in the first instance.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Georgia.

Mr. COX. Is the gentleman taking the position that the country has already been overtaxed to construct monumental buildings here in the District of Columbia, and that this is an opportune time to indicate dissatisfaction with a continuation of that policy?

Mr. DIRKSEN. In part I take that position. I take this position predicated on two premises. In the first place, I do not believe there is an immediate necessity for erecting this building. Secondly, if it must be built—and those in possession of expert opinion and authority and who have the figures insist that it must be built—let us build it somewhere else and decentralize this function and have it carried on away from the District of Columbia.

Further in the testimony you will find that while they state it is not economically feasible to place these functions anywhere but in Washington, D. C., yet you cannot read the record of the hearings without coming to the conclusion, from the statements of those who testified from the Department of Commerce itself, that this function may very well be moved to some other section of the country. When the time comes to erect such a building, let us place it somewhere else than Washington, D. C., and start progressively on curing the congestion and the traffic hazards that have grown up as a result of implementing the Federal personnel here until today it amounts to approximately 120,000 persons.

The center of population is today located somewhere near the Illinois-Indiana line, some seven or eight hundred miles from here. We could very well send this function out there, because it is principally a case of providing 2 weeks' work for enumerators and then going into a building with a battery of tabulating machines and tabulating the result.

On the basis of what appears in the hearings we might very well strike out this provision at this time, because it is not immediately necessary. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TABER. Mr. Chairman, it seems to me we should stop appropriating large sums of money for the purpose of erecting great buildings in the District of Columbia; buildings which are permanent in character and which we will have immediate agitation to fill. The requirements of this Bureau, according to the story of its own representatives, are taken care of until the 1st of next January. This means they now have space in the Department of Commerce Building to take care of 2,500 of their employees, as appears on page 17 of the hearings, and they need additional space only for a period of approximately 20 months, as appears directly on the same page of the hearings. Why should we construct a building calculated to house 7,500 employees to satisfy a demand for 20 months' use in 10 years? When that great Department of Commerce Building was erected it was understood it would house the census activities and would take care of that situation. With what temporary space we can obtain both here in Washington and elsewhere there is plenty of space available to take care of this situation. We have no business going ahead at this time with terrific expenditures in Washington.

Mr. TAYLOR of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Tennessee.

Mr. TAYLOR of Tennessee. Does not the gentleman envision a day in the not distant future when a great many of these useless buildings or commissions will be demobilized?

Mr. TABER. It is the only salvation for America. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, the hearings before the committee showed that the Government is now renting in the District of Columbia 120 different buildings to house the present activities of the Government, and whatever may be said about useless bureaus and the multiplying of Government agencies and what not, I recall that one of my first committee assignments when I came to Congress 16 years ago was to the Committee on Public Buildings and Grounds and at that time the Government was paying an annual rental bill of more than \$25,000,000 in the District of Columbia and outside of the District of Columbia. The Government has never, under any administration, pursued the policy that an ordinarily conservative and prudent businessman would pursue of trying to house his own activities with a view to economizing in space and coordinating such activities. This the Government has never done. There may be more bureaus now—I do not deny this—probably we all entertain the hope that many of them may be liquidated sometime or other, but if our fondest hopes were realized in that direction, we badly need space of this type in the District of Columbia.

This is not to be a monumental building, I may say to my good friend from Georgia. This is to be a warehouse—utilitarian type of building, costing \$9 a square foot and built for use and service.

It is perfectly ridiculous to talk about conducting this census or tabulating it at any other place than in the District of Columbia.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Not just now, as I only have 5 minutes.

With the advent of social security and railroad retirement, there will be greater need for record space than ever before, and while the census field work is done out in the country at large, the tabulation and the records from which compiled must be done in the District of Columbia at the Nation's Capital.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield for a question?

Mr. WOODRUM of Virginia. Yes; just briefly.

Mr. O'CONNOR. There is no emergency about the construction of this building, is there?

Mr. WOODRUM of Virginia. We think there is an emergency.

Mr. O'CONNOR. Does not the gentleman really feel that it would be better to spend this \$3,500,000 by adding it to the amount that the House passed the other evening here, namely, \$725,000,000, which I voted to increase to \$875,000,000, to take care of the poor and the unemployed people of this country, rather than to use this sum for the construction of a building for which there is no immediate necessity?

Mr. WOODRUM of Virginia. In the first place, there is immediate necessity for it; and in the second place, the gentleman from Virginia thinks we made ample provision for the poor and the needy people, if you can get the money to such people; but aside from that, if you do not construct this building at a cost of \$3,500,000, we shall have to have someone else construct the building and pay them not less than \$400,000 a year for it. We are paying 95 cents a square foot for space in rented buildings in the District of Columbia right now.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Not just now, if the gentleman will permit me.

The evidence shows that this building will liquidate itself on the basis of rent in 10 years, and it is badly needed for governmental activities.

Mr. TABER. Mr. Chairman, will the gentleman yield to me?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. Does not the gentleman realize that these public buildings we put up all cost more to operate and take care of than the rent we have been paying?



Mr. WOODRUM of Virginia. No; in addition to the cost of 95 cents a square foot, we pay for the heating and the janitor service. The added expense runs the cost to around \$1.50 a square foot for renting space in the District of Columbia. Any ordinarily prudent businessman would construct his own office space rather than do this.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield? Mr. WOODRUM of Virginia. Yes.

Mr. GIFFORD. And the building would also be counted as an asset and its availability to extinguish the public debt could be claimed, could it not?

Mr. WOODRUM of Virginia. It would be an asset, undoubtedly.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 99, noes 107.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. WOODRUM of Virginia and Mr. DIRKSEN.

The Committee again divided; and the tellers reported—ayes 124, noes 117.

So the amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DOXEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 2868, the first deficiency appropriation bill, 1939, and had directed him to report the same back to the House with two amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. WOODRUM of Virginia. Mr. Speaker, I demand a separate vote on the Dirksen amendment striking out the provision for the construction of a building for the Bureau of the Census.

The SPEAKER. Is a separate vote demanded upon the other amendment? If not, the question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the other amendment.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the Clerk again report the amendment.

There was no objection, and the Clerk again reported the amendment, as follows:

Amendment offered by Mr. DIRKSEN: Page 6, line 6, strike out lines 6 to 16, inclusive.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the Chair announced himself in doubt.

The House divided; and there were—ayes 106, noes 136.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 192, not voting 70, as follows:

[Roll No. 4]

YEAS—170

Alexander	Andresen, A. H.	Blackney
Allen, Ill.	Andrews	Boehne
Andersen, H. Carl	Angell	Bolles
Anderson, Calif.	Arends	Bolton
	Arnold	
	Ashbrook	
	Ball	
	Beam	

Bradley, Mich.	Gilchrist	Landis	Rockefeller
Brewster	Gillie	Lanham	Rodgers, Pa.
Brown, Ohio	Gore	LeCompte	Rogers, Mass.
Bryson	Graham	Lenke	Routzohn
Buckler, Minn.	Grant, Ind.	Lewis, Ohio	Rutherford
Burdick	Griswold	Luce	Schafer, Wis.
Carlson	Gross	Ludlow	Schiffler
Case, S. Dak.	Guyer, Kans.	McDowell	Schulte
Chaperfield	Gwynne	McKeough	Shafer, Mich.
Church	Hall	McLaughlin	Short
Clason	Halleck	McLean	Simpson
Clevenger	Hancock	McLeod	Smith, Ohio
Cluett	Harness	McMillan, John L.	Springer
Cole, N. Y.	Harter, N. Y.	Maas	Stearns, N. H.
Colmer	Hawks	Mapes	Stefan
Corbett	Heinke	Marshall	Sumner, Ill.
Cox	Hinshaw	Martin, Mass.	Summers, Tex.
Crawford	Hoffman	Mason	Taber
Crowther	Hope	Massingale	Talle
Culkin	Horton	Michener	Taylor, Tenn.
Curtis	Hull	Miller	Thill
Dirksen	Jacobsen	Monkiewicz	Thomas, N. J.
Dondero	Jarrett	Mott	Thorkelson
Dowell	Jeffries	Mundt	Tibbott
Dworshak	Jenkins, Ohio	Murray	Treadway
Eaton, Calif.	Jenks, N. H.	O'Connor	Turner
Eaton, N. J.	Jensen	Osmers	Van Zandt
Elliott	Johns	Parsons	Vorvys, Ohio
Engel	Johnson, Ill.	Peterson, Ga.	West
Englebright	Johnson, Ind.	Pittenger	Wheat
Fenton	Jones, Ohio	Plumley	White, Ohio
Fish	Kean	Poage	Wigglesworth
Ford, Leland M.	Keefe	Polk	Williams, Del.
Fulmer	Kelly	Powers	Winter
Gamble	Kinzer	Reece, Tenn.	Wolcott
Gearhart	Kleberg	Reed, Ill.	Woodruff, Mich.
Gehrmann	Knutson	Reed, N. Y.	Youngdahl
Gerlach	Kunkel	Rees, Kans.	
Gifford	Lambertson	Robison, Ky.	

NAYS—192

Allen, La.	Dies	Jones, Tex.	Richards
Allen, Pa.	Dingell	Kee	Robertson
Anderson, Mo.	Disney	Keller	Robinson, Utah
Barden	Doughton	Kerr	Rogers, Okla.
Barnes	Doxey	Kilday	Romjue
Bates, Ky.	Drewry	Kitchens	Ryan
Beckworth	Duncan	Kocalkowski	Sacks
Bell	Dunn	Kramer	Satterfield
Bland	Durham	Larabee	Schaefer, Ill.
Bloom	Eberharter	Lesinski	Schuetz
Boland	Edmiston	Lewis, Colo.	Schwert
Boren	Ellis	McAndrews	Scruggam
Boykin	Faddis	McCormack	Secret
Brooks	Fay	McGehee	Shanley
Brown, Ga.	Ferguson	McMillan, Thos. S.	Shannon
Buck	Fernandez	Magnuson	Sheppard
Bulwinkle	Fitzpatrick	Mahon	Sirovich
Burch	Flaherty	Maloney	Smith, Conn.
Burgin	Flannagan	Mansfield	Smith, Va.
Byrne, N. Y.	Folger	Marcantonio	Smith, Wash.
Byrns, Tenn.	Ford, Miss.	Martin, Colo.	Smith, W. Va.
Byron	Ford, Thomas F.	Martin, Ill.	Snyder
Caldwell	Fries	Mills, Ark.	South
Cannon, Fla.	Garrett	Mills, La.	Sparkman
Cannon, Mo.	Gathings	Mitchell	Spence
Cartwright	Geyer, Calif.	Monroney	Starnes, Ala.
Casey, Mass.	Gibbs	Moser	Steagall
Chandler	Goldsborough	Mouton	Sutphin
Chapman	Gossett	Murdock, Ariz.	Sweeney
Claypool	Grant, Ala.	Murdock, Utah	Tarver
Cochran	Green	Nelson	Taylor, Colo.
Coffee, Nebr.	Gregory	Norrell	Tenerowicz
Coffee, Wash.	Griffith	Norton	Terry
Cole, Md.	Hare	O'Day	Thomas, Tex.
Collins	Harrington	O'Neal	Thomason
Connelly	Harter, Ohio	Owen	Tolan
Cooper	Havener	Pace	Vincent, Ky.
Costello	Healey	Patman	Vinson, Ga.
Crosser	Hennings	Patrick	Voorhis, Calif.
Crowe	Hill	Patton	Wallgren
Cullen	Hobbs	Pearson	Walter
Cummings	Hook	Peterson, Fla.	Warren
D'Alessandro	Houston	Pierce, Oreg.	Weaver
Daly	Hunter	Rabaut	Whelchel
Darden	Jarman	Ramspeck	Whittington
Delaney	Johnson, Luther A.	Randolph	Williams, Mo.
DeRouen	Johnson, Lyndon	Rankin	Woodrum, Va.
Dickstein	Johnson, W. Va.	Rayburn	Zimmerman

NOT VOTING—70

Austin	Darrow	Holmes	McReynolds
Barry	Dempsey	Izac	Maclejewski
Barton	Ditter	Johnson, Okla.	Martin, Iowa
Bates, Mass.	Douglas	Kennedy, Martin	May
Bender	Elston	Kennedy, Michael	Merritt
Bradley, Pa.	Evans	Kennedy, Md.	Myers
Buckley, N. Y.	Flannery	Keogh	Nichols
Carter	Gartner	Kirwan	O'Brien
Celler	Gavagan	Lea	O'Leary
Clark	Hart	Leavy	Oliver
Cooley	Hartley	Lord	O'Toole
Creal	Hendricks	McArdle	Pfeifer
Curley	Hess	McGranery	Pierce, N. Y.

Rich	Seger	Tinkham	Wolfenden, Pa.
Risk	Smith, Ill.	Vreeland	Wolverton, N. J.
Sabath	Smith, Maine	Wadsworth	Wood
Sandager	Somers, N. Y.	Welch	
Secombe	Sullivan	White, Idaho	

So the amendment was not agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Ditter (for) with Mr. Gavagan (against).  
 Mr. Wadsworth (for) with Mr. Sullivan (against).  
 Mr. Rich (for) with Mr. Dempsey (against).  
 Mr. Wolfenden of Pennsylvania (for) with Mr. McArdle (against).  
 Mr. Douglas (for) with Mr. Cooley (against).  
 Mr. Elston (for) with Mr. Sabath (against).  
 Mr. Risk (for) with Mr. Cullen (against).  
 Mr. Pierce of New York (for) with Mr. Bradley of Pennsylvania (against).  
 Mr. Smith of Maine (for) with Mr. O'Toole (against).  
 Mr. Seger (for) with Mr. McGranery (against).  
 Mr. Secombe (for) with Mr. Keogh (against).  
 Mr. Lord (for) with Mr. Kennedy of Maryland (against).  
 Mr. Sandager (for) with Mr. Hart (against).  
 Mr. Carter (for) with Mr. McReynolds (against).  
 Mr. Gartner (for) with Mr. Barry (against).  
 Mr. Oliver (for) with Mr. Flannery (against).  
 Mr. Hess (for) with Mr. Celler (against).  
 Mr. Bates of Massachusetts (for) with Mr. Kirwan (against).  
 Mr. Austin (for) with Mr. O'Leary (against).  
 Mr. Holmes (for) with Mr. Merritt (against).  
 Mr. O'Brien (for) with Mr. Evans (against).  
 Mr. Hartley (for) with Mr. Somers of New York (against).  
 Mr. Vreeland (for) with Mr. Pfeifer (against).  
 Mr. Barton (for) with Mr. Michael J. Kennedy (against).  
 Mr. Darrow (for) with Mr. Martin J. Kennedy (against).  
 Mr. Martin of Iowa (for) with Mr. Buckley of New York (against).  
 Mr. Bender (for) with Mr. Curley (against).

General pairs:

Mr. May with Mr. Tinkham.  
 Mr. Johnson of Oklahoma with Mr. Wolverton of New Jersey.  
 Mr. Lea with Mr. Welch.  
 Mr. Wood with Mr. Leavy.  
 Mr. Clark with Mr. Maciejewski.  
 Mr. Nichols with Mr. Smith of Illinois.  
 Mr. Hendricks with Mr. White of Idaho.  
 Mr. Creal with Mr. Izac.

Mr. GRANT of Alabama changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

#### CONSOLIDATING AND CODIFYING INTERNAL-REVENUE LAWS OF THE UNITED STATES

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2762) to consolidate and codify the internal-revenue laws of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. TREADWAY. Mr. Speaker, reserving the right to object, I think it is such an important matter that it is proper for the chairman of the committee or some Member on the majority side to offer the House a suitable explanation of the reason for the passage of this act at this time.

Mr. DOUGHTON. Mr. Speaker, the bill under consideration, H. R. 2762, consolidates and codifies the internal-revenue laws of the United States, and would enact into absolute law instead of prima facie evidence of law all of the internal-revenue laws that are now in force.

This bill has the unanimous approval of the Committee on Ways and Means. Its preparation is the work of the staff of the Joint Committee on Internal Revenue Taxation, with which work the House is familiar, in cooperation with the Treasury Department and the Department of Justice. The staff has been working on this since about 1930, in cooperation with the officials of the Treasury Department and of the Department of Justice.

There is no objection to it. In fact, its passage is commended by the Department of Justice. I have a letter, con-

tained in the report, from the Department of Justice recommending the enactment of this code into law. It does not change existing law in any particular. It brings into consolidated form, into one compact volume, about 150 separate acts of Congress, beginning with the Revised Statutes, enacted in 1874. There are so many laws contained in so many volumes of the Statutes at Large that it is very confusing and it is difficult even for lawyers to determine what the law actually is, and the ordinary taxpayer cannot do it at all.

This bill makes no change whatever in existing law, but consolidates and codifies the existing law, and brings it all into one volume so that it is immediately and conveniently available.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to my colleague.

Mr. TREADWAY. I understood the chairman to say this was prepared in cooperation with the Department. Printed in the volume as it first came to the Ways and Means Committee was transmitted a letter from the Department of Justice, but there was no reference to the Treasury Department as cooperating and approving this codification, as far as any written evidence is concerned. I understood at the time that the chairman of the committee had had verbal cooperation and approval of the Treasury Department, but I think it would be well for the chairman to make a statement in connection with that matter.

Another thing I would like to bring out is that when the Congress adopts this resolution and it becomes law, then there is no reference to past laws, but it is the law to date in connection with internal-revenue operations of the Government, is it not?

Mr. DOUGHTON. It would have the force of statutory law. It would not be prima facie evidence thereof but the law itself.

As far as the Treasury Department is concerned—

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to my colleague from Ohio.

Mr. JENKINS of Ohio. As I understand it, this joint committee of the House and Senate has been operating on taxation for years, and this committee has had this in mind for several years. That is true, is it not?

Mr. DOUGHTON. That is correct.

Mr. JENKINS of Ohio. And they have been working on it not for the purpose of changing any law whatever—

Mr. DOUGHTON. No.

Mr. JENKINS of Ohio. But to correlate the laws and bring them together in a compact form so that those who use this portion of the law—and there are millions of people in the country who do use it—may have these laws properly indexed and condensed into one volume.

I should like to ask the gentleman this question: It has been the purpose of this committee to honestly correlate these laws without any intention of making any change in the law whatsoever?

Mr. DOUGHTON. That is correct.

Mr. JENKINS of Ohio. I think the information which the gentleman has from these experts, and that has been corroborated by the Department of Justice, is that there has been no change in the law whatever. All it does is bring them together. It differs from some codifications. Some codifications made by the Congress and other legislative bodies implies a complete study of all laws, in an effort to take out the deadwood and inconsistencies, and resolve the inconsistencies into some form, and thereby enact a new law. In this case I understand this commission has religiously stayed away from any attempt to make any change whatsoever, but have stuck absolutely to the law. Take laws upon which the statute of limitations has run, or laws that in their own language indicate that they are now of no standing. Some of the Members on this side, particularly the new Members, are especially interested in knowing whether or not should they vote for this they will be voting for any change of law. I think the gentleman has stated emphatically that there is no change of any kind in the law.



Mr. DOUGHTON. I can assure the House of that fact. Moreover, in order to safeguard and assure the correctness of this draft, and to safeguard against any mistakes, the Treasury Department has checked and rechecked through about 25 or 30 attorneys in that Department the work of the staff in order that this may be as accurate as it is humanly possible to make it.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. WOLCOTT. I understand this is the embodiment of all existing tax laws.

Mr. DOUGHTON. That is correct.

Mr. WOLCOTT. In what manner has the committee eliminated the deadwood? Does not this bill provide for the repeal of some of this deadwood? The gentleman from Ohio stated that experts in the Department of the Treasury have gotten together and eliminated a lot of deadwood and laws that the statute of limitations has run against. To my knowledge the statute of limitations never runs against an act of Congress, and I wonder whether by this act the committee have recommended to Congress that certain acts be repealed? And I want to suggest to the gentleman from North Carolina that I am a little concerned about what check has been made by the congressional committee to see that this is an embodiment of all existing tax laws.

Mr. DOUGHTON. If the gentleman will permit, the members of the committee, of course, could not make the check with the thoroughness that the staff could make it; but the committee has agreed that it is willing to be governed by and responsible for the work of the staff of the joint committee. A similar code was completed during the last session of Congress. In order, however, that there might be no risk or doubt, we agreed to let it go over and let the Treasury Department check against the work of the staff. We have done everything possible to safeguard the integrity of the tax laws.

Mr. WOLCOTT. I may say to the gentleman from North Carolina that I have been the ranking minority member of the committee which presumably has jurisdiction over the revision of the laws and the codification of the laws. This committee presumably has a staff to do just this thing. We have found that it is of much greater help to the courts and to attorneys practicing before those courts to authorize a House or a Senate document with changes in existing laws in the codifications set up in block-letter type and in italics. This is the first time I have ever had my attention called to the reenactment of all existing tax laws.

I do not think we should be in too much of a hurry about this. This is one of the most important subjects with which businessmen, bankers, and professional men, have to deal. I think we should proceed very cautiously. Although I am usually willing to take the word of the gentleman from North Carolina, because I know that he is very conscientious about this—and the same applies to other members of the Ways and Means Committee—I do not think this bill should be passed under unanimous consent. Apparently copies of this bill are not available, at least we did not know that the bill was going to be called up today. I think the Members should have an opportunity at least to look this over, and in the quiet and privacy of their offices to make sure that no provisions of law in which they might be peculiarly interested are omitted from the codification. I am inclined, therefore, to object to the request, not because I do not have confidence in the committee to do this but because I think that the bill is of the utmost importance to the Nation and should not be passed under a unanimous-consent request.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. JENKINS of Ohio. My use of the words "statute of limitations" was rather unfortunate. I meant by that the expiration of statutes which by their own language had a limited time of application. I meant it only by way of illustration.

As I understand it, there has been no change of any kind in any law at all. If a law was found in connection with tax

matters which law in its own language indicated that it terminated at a certain date, then that law has been repealed, it has not been brought into this codification.

Mr. WOLCOTT. Mr. Speaker, I am inclined to think that there is a possibility that the Treasury Department and the Department of Justice in their zeal to make a workable law have perhaps eliminated from this codification certain so-called unworkable provisions which have been a constant embarrassment to the Justice Department and the Treasury Department. I want to satisfy this House, and I think the gentleman from North Carolina wants to satisfy this House, that this is not done under the classification of "dead wood."

Mr. DOUGHTON. There is not here involved any question of the zeal of the Treasury Department or the Department of Justice. The lead has been taken by the Joint Committee on Internal Revenue Taxation. The Treasury Department and the Department of Justice have at the instance and request of the Joint Committee on Internal Revenue Taxation cooperated with this committee. They have not taken the lead, they have not pushed it, they are not insisting on it now, they have not urged it upon us.

Mr. WOLCOTT. I want to make my position clear. I am not against the bill, because I do not know what is in it. I think the attitude of the majority of the Members of Congress is that they do not know whether they are for it or against it because they do not know what is in it. Here we are dealing with a very basic law upon which this Government operates and under which it collects from \$6,000,000,000 to \$10,000,000,000 of revenue. I submit such a bill should not pass by unanimous consent.

I do not think I can conscientiously let this bill go through by unanimous consent without giving it more consideration, and for this reason, Mr. Speaker, I object.

#### EXTENSION OF REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I hope the gentleman will withhold this request for a minute, because one of our Members on this side did not have the opportunity to extend his own remarks and until his request is granted I must object to other Members getting similar permission.

The SPEAKER. Will the gentleman submit his request then?

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include the remarks of the gentleman from New York [Mr. BARTON], as published in *Colliers*.

The SPEAKER. The Chair would like to understand the request. Does the gentleman from Massachusetts [Mr. MARTIN] ask unanimous consent that the remarks of the gentleman from New York [Mr. BARTON] be extended to include an article contained in a magazine?

Mr. MARTIN of Massachusetts. I ask unanimous consent to extend my own remarks and to include a statement of the gentleman from New York [Mr. BARTON], as published in *Colliers*.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

Mr. BULWINKLE. Mr. Speaker, reserving the right to object, may I ask the gentleman from Massachusetts if he has received permission of the copyright owner to insert these remarks?

Mr. MARTIN of Massachusetts. I have not received anybody's permission.

Mr. BULWINKLE. It is a copyrighted article.

Mr. MARTIN of Massachusetts. I will take a chance that the gentleman from New York [Mr. BARTON] will not object.

Mr. THOMAS F. FORD. Mr. Speaker, I object.

Mr. MARTIN of Massachusetts. Mr. Speaker, then I object to the request of the gentleman from Alabama [Mr. HOBBS].

## PERMISSION TO ADDRESS THE HOUSE

Mr. HILL. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the disposition of matters on the Speaker's table and at the conclusion of the regular orders in order for that day, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Wednesday next the gentleman from Connecticut [Mr. MILLER] may be permitted to address the House for 15 minutes at the conclusion of the special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. NORTON. Mr. Speaker, at the conclusion of the special orders for today I ask unanimous consent to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey [Mrs. NORTON]?

There was no objection.

The SPEAKER. Under a special order of the House heretofore entered, the gentleman from Montana [Mr. THORKE- LSON] is recognized for 30 minutes.

## THE GOLD RESERVE ACT

Mr. THORKE- LSON. Mr. Speaker, before I begin my subject I should like to make a few remarks with reference to the message I heard a while ago that came from the White House. I refer not so much to the message but to the specter behind the message. I see the shadow standing behind us guiding the destinies of our people. This appeal to people who lack the necessities of life and those who lack medical care is a bid for public sympathy. What for? To destroy our business structure which has made the country great and prosperous.

It is an appeal to force this Congress, through the power to public sympathy, to consent to the destruction of our business structure. I refer particularly to the medical profession itself. I have practiced medicine for a long time and 60 percent of my work and the work of other medical men has been done for nothing. I want the people to know that, and I want the people also to know that the medical profession is one that devotes its entire career to the alleviation of human suffering and to helping people. For such work they have not asked any Federal aid.

The Federal Government, in order to gain strength itself by such public appeals to the people, to the masses, makes the statement it is going to give the people something for nothing. It uses that as a club for power to destroy the medical profession, as it has done other businesses, such as the public utilities and many other business structures in this country.

Mr. Speaker, I want the Members of this Congress to know that no one occupies a more enviable position than the President himself. He cannot lose, because he appeals to the masses in order to get their support. He asks their support to give him power, and after he gets their support, if anything goes wrong, he is not to blame; he washes his hands of the whole thing, because it was the will of the masses or a mandate from the people. If, however, he is successful, he receives all the credit, and again he wins. So it is heads I win, tails you lose. And Congress sits here and takes it all while he wins. You ought to have a goat up there to look at every day. That is symbolical of your position. Sometimes it is too much for me.

This is the twelfth legislative day, and Mr. Speaker, I appreciate the courtesy of all Members in this House.

As a new man in the greatest legislative body in the world, and I may say the most prolific legislative body in the world, I, of course, need advice.

My work has been confined to making a living in business. I have been captain and owner of ocean-going ships, doctor of medicine and a surgeon, pilot of aircraft, and a business-

man. I am not familiar with legislation as such, but I am familiar with constitutional law, and the rights of the people. Mr. Speaker, I realize, as one of the people, that if this body remove the people's rights one by one by law, when the last is removed, the people become slaves to legal despotism, and a legal despotism deprives the people of their rights just as successfully as the popular despotisms of today. You get a despotism by legislating yourself out of your rights, and that is what we are doing in this body.

Mr. Speaker, in a republican form of government such as ours, the Government should confine itself within the powers delegated to it by the people, as set forth in the Constitution of the United States. Such powers are purely administrative, regulatory, and protective.

All rights to conduct business are reserved by the people to themselves, and the people are those engaged in industry, commerce, business, labor, agriculture, and all earning enterprises. To expect that is only just and right, for this group has paid the total Government and our Nation's expenditures from its earliest beginning to date.

In other words, the Government does not earn money. It spends the money earned by the people who support it. The people have uncomplainingly fought many wars and attempted invasions, but are in despair when they must protect themselves against invasion by the government of their own creation. It is hard enough to fight attempted destruction from without, but hope is lost when the attack is launched from within, and by the very government in which the people place their hope and trust.

Being interested in recovery, I am not different from others, although my opinions may differ in the procedure for its return.

I take the view that currency is the blood which circulates in the arteries of business, and gold is the heart. The flow of currency when interrupted may cause temporary illness to business, from which it may recover, but the removal of gold-secured currency strikes a blow at the very heart of the business structure from which it will not recover until standardized gold currency is restored.

The majority of the Seventy-third Congress that voted for the Gold Reserve Act drove a dagger in the heart of business, and the Seventy-sixth Congress should remove it so as to aid recovery in our business structure.

I shall now quote verbatim four sections of the Gold Reserve Act, in which I will attempt to show that the act is unconstitutional; that it is destructive to industry, commerce, business, labor, agriculture, and all earning groups; and that it destroys public confidence in the Government and undermines the fundamental principles in which we believe.

I quote House Resolution 1491, title 1, section 2 (b):

During time of war, or during any other period of national emergency declared by the President, the President may, through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange, transfers of credit between or payments by banking institutions as defined by the President, and export, hoarding, melting, or earmarking of gold or silver coin or bullion or currency, by any person within the United States or any place subject to the jurisdiction thereof; and the President may require any person engaged in any transaction referred to in this subdivision to furnish, under oath, complete information relative thereto, including the production of any books of account, contracts, letters, or other papers in connection therewith in the custody or control of such person, either before or after such transaction is completed. Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule, or regulation issued thereunder shall upon conviction be fined not more than \$10,000 or, if a natural person, may be imprisoned for not more than 10 years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment, or both. As used in this subdivision, the term "person" means an individual, partnership, association, or corporation.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. THORKE- LSON. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Has not the effect of the legislation the gentleman has just cited been to effectually de-



monetize gold? Has not gold been as effectually demonetized as silver in our monetary system?

Mr. THORKELOSON. I shall come to that point shortly. That is all explained in the statement I shall make.

Mr. WHITE of Idaho. That is a fact, is it not?

Mr. THORKELOSON. Yes; that is absolutely a fact.

This paragraph, which is part of the Gold Reserve Act, was passed by the majority of the Seventy-third Congress and bestows nearly absolute power on the President over public liberties. It opens the gate to persecution; it lifts the curtain of inquisition, and, as I view the dim past, I shudder.

The words "during time of war" are used as a smoke screen for a favorable reception of the real intent of the act, which is for the President to have power "to declare an emergency." We have had an emergency for 6 years for the money changers in the temple, and this noble gentry directly or indirectly control over thirteen and a half billions of gold and gold certificates.

Our great mass of workers have labored for the money changers too long. I am now tired of it, and I believe it is time for Congress to declare an emergency for our own people, so that they may benefit in being secured by the wealth they have earned and which rightfully belongs to them.

Six years of emergency without a war is open to suspicion, and my suspicion is that something is wrong.

In this act the President may declare an emergency when he pleases. After such declaration he may investigate, prosecute, and persecute anyone to his heart's content, and end up by fining him \$10,000 and sentencing him to 10 years in prison. For what? For having in his possession gold or silver, a property which belongs to the people by right and is so declared in the Constitution of the United States. Gold is property no different from any other property, and as such it belongs to the people, the creators of such wealth.

This absolute power is not left entirely to the President, because the Secretary of the Treasury, if you please, becomes an inquisitor also. I quote section 3 (n):

Whenever in the judgment of the Secretary of the Treasury such action is necessary to protect the currency system of the United States, the Secretary of the Treasury, in his discretion, may require any or all individuals, partnerships, associations, and corporations to pay and deliver to the Treasurer of the United States any or all gold coin, gold bullion, and gold certificates owned by such individuals, partnerships, associations, and corporations. Upon receipt of such gold coin, gold bullion, or gold certificates, the Secretary of the Treasury shall pay therefor an equivalent amount of any other form of coin or currency coined or issued under the laws of the United States.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKELOSON. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. May I inject there the statement that under the New Deal and the progressiveness of the dollar, formerly if you had a bottle of whisky worth \$5 you were arrested for carrying the whisky but you would not be arrested for carrying gold, whereas today you are arrested if you carry gold but you can carry the whisky. This is the new method of property confiscation.

Mr. THORKELOSON. The gentleman is correct.

The Secretary of the Treasury shall pay all costs of the transportation of such gold bullion, gold certificates, coin, or currency, including the cost of insurance, protection, and such other incidental costs as may be reasonably necessary.

This simply means that for gold and valuable currency they hand you phoney money, but they pay transportation and they insure it so they will not lose it. They are liberal to themselves.

Any individual, partnership, association, or corporation failing to comply with any requirement of the Secretary of the Treasury made under this subsection shall be subject to a penalty equal to twice the value of the gold or gold certificates in respect of which such failure occurred, and such penalty may be collected by the Secretary of the Treasury by suit or otherwise.

I quote again:

Whenever in the judgment of the Secretary of the Treasury action is necessary to protect the currency system. \* \* \*

It is astonishing that such rot, deception, and senseless words were allowed to be written into this act, and for no other reason than to betray our people. The sole purpose is for our people to trade good money for inflated or valueless currency; a most damnable fraud to be perpetrated on an unsuspecting and trusting Nation. May God open their eyes before it is too late.

In this paragraph Congress abdicated and delegated congressional power and prerogatives to the royal family. The majority of the Seventy-third Congress crowned a king, and the Supreme Court of the United States blessed the ceremony. I want Congress to understand what has been done to the great mass of American people—our people.

No doubt other emergency legislation will come up in this Congress, and it is my desire to warn my colleagues that the first duty of Congress is to determine absolutely and conclusively that all measures presented come well within the legislative power delegated to Congress by the people in the Constitution and are not dictated by personal opinions of Members of Congress or of any employee of the Government. I want you to bear that in mind. That is something this Congress has not adhered to in the history of any session. It is no use for us to blame it on anyone and say the President is guilty or someone else is guilty. Congress is responsible to the people, because all legislative power is vested in Congress. We must know that legislation is constitutional before it is passed up to the Supreme Court. The Supreme Court should pass only on the mistakes of Congress, and we must know ourselves that legislation comes well within the Constitution of the United States.

Section 4 states:

In order to provide for the safer and more effective operation of the national banking system and the Federal Reserve System, to preserve for the people the full benefits of the currency provided for by the Congress through the national banking system and the Federal Reserve System, and to relieve interstate commerce of the burdens and obstructions resulting from the receipt on an unsound or unsafe basis of deposits subject to withdrawal by check, during such emergency period as the President of the United States by proclamation may prescribe, no member bank of the Federal Reserve System shall transact any banking business except to such extent and subject to such regulations, limitations, and restrictions as may be prescribed by the Secretary of the Treasury, with the approval of the President. Any individual, partnership, corporation, or association, or any director, officer, or employee thereof, violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$10,000, or, if a natural person, may, in addition to such fine, be imprisoned for a term not exceeding 10 years. Each day that any such violation continues shall be deemed a separate offense.

It is my desire to call the attention of my colleagues to the words in the section, "provided for by Congress," which in a subtle manner intimate that the President and the Secretary of the Treasury accepted the administration of this power because Congress requested them to do so; and Congress is betrayed by its master, or shall I say masters?

Public Resolution No. 10—House Joint Resolution No. 192—states:

Whereas the holding of or dealing in gold affect the public interest, and are therefore subject to proper regulation and restriction; and

Whereas the existing emergency has disclosed that provisions of obligations which purport to give the obligee a right to require payment in gold or a particular kind of coin or currency of the United States, or in an amount of money of the United States measured thereby, obstruct the power of the Congress to regulate the value of the money of the United States, and are inconsistent with the declared policy of the Congress to maintain at all times the equal power of every dollar, coined or issued by the United States, in the markets and in the payment of debts.

The premise set forth in this first paragraph that—

\* \* \* the holding of or dealing in gold affect the public interest, and therefore subject to proper regulation \* \* \*

is correct, but "restriction" is the stranglehold of the despot. To say that the right to receive payment in gold, gold coin, or gold secured currency would obstruct the power of Congress to regulate the value of money is an unmitigated falsehood, because the contrary is true. Gold is the only metal that lends itself to regulation, because it can be assayed, it can be weighed, and it has a standard international value.

To say that the use of gold money or gold-secured currency is "inconsistent with the declared policy of Congress to maintain at all times the equal power of every dollar" is to my mind a most extraordinary reasoning. For Congress to maintain that it can at all times control the purchasing power of every dollar is, to say the least, an unwarrantable assumption. No person or nation can control the purchasing power of money, for it is dependent upon constant fluctuation of prices, and for Congress to presume that it can regulate and control the equal purchasing power of every dollar in all the markets of the world makes Congress an international laughingstock.

I now quote the conclusion of the resolution:

*Resolved, etc., That (a) every provision contained in or made with respect to any obligation which purports to give the obligee a right to require payment in gold or a particular kind of coin or currency, or in an amount in money of the United States measured thereby, is declared to be against public policy; and no such provision shall be contained in or made with respect to any obligation hereafter incurred. Every obligation heretofore or hereafter incurred, whether or not any such provision is contained therein or made with respect thereto, shall be discharged upon payment, dollar for dollar, in any coin or currency which at the time of payment is legal tender for public or private debts. Any such provision contained in any law authorizing obligations to be issued by or under authority of the United States is hereby repealed, but the repeal of any such provision shall not invalidate any other provision or authority contained in such law.*

The assumption of the Senate and the House of Representatives that "obligations" which require "payment in gold" or "in money measured thereby" is against public policy, is open to the most severe criticism, and, in my opinion, places the Congress of the United States in a very embarrassing position with its own people. Congress will realize this when our workingmen and small-business people become aware of the fact that foreign governments and foreign investments are payable in gold, both as to interest and principal, while we, the people of the United States, who have worked and earned this wealth, are denied ownership or security by the property we have accumulated. I am surprised that the majority in the Seventy-third Congress was so lax in the protection of their own and their people's rights.

[Here the gavel fell.]

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 10 additional minutes.

The SPEAKER pro tempore (Mr. SIROVICH). The gentleman from New Jersey [Mrs. NORTON] has been granted permission to address the House for 20 minutes immediately following the remarks of the gentleman from Montana. Has the gentlewoman from New Jersey any objection to the request of the gentleman from Idaho?

Mrs. NORTON. I have no objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKEKELSON. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. The remarks of the gentleman have been extraordinarily interesting. I have placed remarks in the Record along the same line. May I ask the gentleman if he understands that, although any kind of money, of no matter what substance, that has the stamp of the Government on it shall be received as legal tender, some \$8,000,000,000 worth of gold certificates have actually been issued to the Federal Reserve? What are these gold certificates worth, in the gentleman's estimation? Why were these gold certificates given to the Federal Reserve, although the private individual is deprived of them?

Mr. THORKEKELSON. Gold certificates held by interests outside the Treasury and by the governors of the Federal Reserve banks amount to approximately \$11,500,000,000. They are a lien against the gold and are used in international transactions. The money used in international transactions is based upon a dollar with a gold content of 15.521 grains, but we are not permitted to use such a dollar in the United States. Our dollar is not secured by gold or silver.

The money held by the governors of the Federal Reserve banks and other interests is held by the money ring or by the money changers in the temple, that the President said he drove out.

Mr. GIFFORD. If and when that gold is released by the Treasury, is the Federal Reserve going to get it all?

Mr. THORKEKELSON. The gold reserve in the Treasury should balance the money in circulation, as was done in 1921.

In 1921 we had an inflation of nearly 36 percent, and a dollar at that time was worth 64 cents in purchasing power; and Governor Strong, of the Federal Reserve Bank, when he took charge, withdrew \$100,000,000 per month until he had withdrawn \$1,800,000,000 from circulation and the gold in circulation at that time was about \$4,393,000,000 and the money in circulation balanced the gold in the Treasury and so established a balance between the gold in the Treasury and the money in circulation. After he did that, the dollar was worth 100 cents in gold and 100 cents in purchasing value or power. We had then, as we have always had, a stabilized and secured dollar, a sound dollar, based upon gold, and recognized by international standards as such.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. THORKEKELSON. I yield to the gentleman.

Mr. WHITE of Idaho. Returning to the question of the gentleman from Massachusetts, is it not a fact that the gold certificates held by the Federal Reserve Board are simply a coverage for the lendings of the Federal Reserve banks of currency at interest, a coverage of 40 percent?

Mr. THORKEKELSON. The gold certificates held by the Federal Reserve banks, of course, are held by them as a lien against the gold. They own the gold that is in the Treasury of the United States, or that gold is owned by the international money ring and the people who live over in Europe and other places because those people hold the gold certificates, or they hold United States securities. We must bear in mind that every government outside of the United States holding United States securities—it does not matter what sort of securities they are—or even if such government acquire money we are using here today, such money when it goes outside the boundaries of the United States becomes a gold dollar, if you please, and its value is 15.521 grains of gold nine-tenths fine according to our valuation. It does not matter what kind of money it may be if it is in the hands of foreign governments, but we are denied that right, and that is what I object to.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKEKELSON. I would like to finish this statement, if I may.

Mr. CRAWFORD. Is the gentleman in accord with the recommendations made to the public today by the American Mining Congress with reference to our gold policy to be followed in the future as against what the gentleman is protesting against now?

Mr. THORKEKELSON. The American Mining Congress does not bring it out clearly. I am in accord with some of its viewpoints. In the first place, we see in the papers that the United States buys gold or that the Treasury Department buys so much gold, but we do not buy gold. Gold buys our securities and the reason gold buys our securities is because foreigners in buying our securities receive a gold-bearing interest on such securities and that interest is denied to the American people. So naturally investing in American bonds becomes a very valuable investment to people who live without the United States, but we are denied the right to share in such interest or profit from our investment. We get rubber money, watered money, and if any private corporation in the United States did the same thing that the Government has done to the American people today, the Government itself would put them in the penitentiary for the rest of their lives. They are supercriminals, if you please.

Mr. CRAWFORD. Then the gentleman disagrees with the American Mining Congress when it recommends a continuation of the purchase of this gold at \$35 an ounce?



Mr. THORKELOSON. Well, it does not matter, because when the gold was reduced from 25.8, or 40 percent, to 15.21 grains of gold, the money was cheapened in that proportion so that it became \$35 per ounce.

Mr. CRAWFORD. I understand that; but we are issuing tax-exempt, interest-bearing bonds to someone in payment of this gold. Does the gentleman think we should continue that even if it is reduced to 15.21?

Mr. THORKELOSON. No.

I venture to say that when the American people realize the true state of affairs, many of those who were responsible for the passage of the Gold Reserve Act and other unsound legislation, will not be returned to Congress.

The people should, and I believe they will, insist that Congress repeal this act, when they realize that wages, salaries, and all earnings will, until it is repealed, be paid in inflated currency; and that insurance and other investments are not secured by gold as they were before 1933, but are instead payable only in the same inflated currency.

"Congress has the right to coin money, regulate the value thereof and of foreign coin, and fix the standards of weights and measures." The power to coin money is not questioned. To regulate the value means exactly that and nothing else. Gold is an international standardized metal with a fixed value, and therefore is the security upon which all money and currency is based. The grain content in each piece of money regulates the value of each coin, and the number of grains regulates the value to each other and to that of foreign coin. Gold, of course, is used because it is permanent metal. It can be melted, refined, and weighed; and each grain represents a fixed value, which regulates the value of all money. When gold is removed as the standard security for money, nothing is left but inflated, valueless currency; and that is what we are using today.

Quoting from the CONGRESSIONAL RECORD of March 25, 1937, page 3524:

Our domestic dollars are neither based upon nor redeemable in gold; hence the value of such dollars has little, if any, relation to the value of the foreign dollar. \* \* \* Today we are on neither a gold nor a silver standard. As stated, the dollar is a managed money unit. We now have a commodity dollar. The value of the dollar in terms of commodities and services changes from day to day.

This is the opinion of a great Democratic Senator, and it also sets forth the administration's policy. The administration is attempting to establish a dollar based, not upon gold for stability, but upon the ability of a committee to regulate and control prices of all commodities; and I might say here, the most impossible and unsound plan that anyone could conceive, and absolutely beyond the power of anyone to fulfill.

In order that you may have a clearer understanding of such policy, I quote CONGRESSIONAL RECORD, March 25, 1937, page 3525:

The administration has the definite objective of raising commodity prices to such an extent that those who have borrowed money will, on the average, be able to repay that money in the same kind of dollar which they borrowed.

Let me be frank in saying that the United States seeks the kind of dollar which a generation hence will have the same purchasing and debt-paying power as the dollar value we hope to attain in the near future.

The revaluation of the dollar in terms of American commodities is an end from which the Government and the people of the United States cannot be diverted. We wish to make this perfectly clear: We are interested in American commodity prices.

When we have restored the price level we shall seek to establish and maintain a dollar which will not change its purchasing and debt-paying power during the succeeding generation. I said that in my message to the American delegation in London last July. And I say it now once more.

This is the outline of the administration's monetary policy stated by the President himself, and it is to establish the purchasing power but not the value of currency. This was true in Germany, and no doubt some of you recollect seeing postage stamps for 50,000,000 marks.

I shall now quote from the argument by the Attorney General of the United States before the Supreme Court, when he assisted in giving the Nation's gold to the money changers

in the temple and deprived our own people of the right to own and share in the property which was rightfully theirs, and as is set forth in the Constitution of the United States:

It is my belief that the word "regulate" as used in the Constitution has never been completely and carefully analyzed in all of its implications. \* \* \* And, moreover, the word "regulate" implies a continuing power, and is the same term that is used with reference to commerce and connotes the power of adjustment. It implies the power of making the condition accord more fully with reality and with justice. (CONGRESSIONAL RECORD, March 25, 1937, p. 3525.)

The Attorney General has certainly leaned backward in his interpretation of the word "regulate," and he evidently forgot that the word referred to money and not to the regulation of abstract value. He is also right when he says "regulate" implies a continued power," but it is not as used in relation to commerce, and it is not in accord with justice. It is a question of the value of gold and the regulation of it. The reason the word "fix" is used in relation to weights and measures is because weights and measures cannot be melted, assayed, valued, or regulated at so much per grain, but are instead the standards of just what the Constitution implies—"weights and measures."

In justice to the Attorney General as to his uncertainty of the constitutionality of this act, I quote from his own words:

I do not assume to suggest what the future may develop with regard to this aspect of the constitutional question. I do not know. These things will follow in due course.

So, according to Attorney General Cummings himself, the constitutionality of the act hangs in the air, like many other experiments of the New Deal. The greatest power of all is the control of money, and it was recognized as such by Alexander Hamilton. In credit to him, it must be said that he was willing for the American people at least to own gold and to be secured by gold and gold securities. As a Republican, no one can fail to give him credit for this democratic principle. The New Deal managers have, however, outdone Alexander Hamilton by depriving the people of their right to own and be secured by gold, and have established imperialistic control over money instead of the Hamiltonian democratic common ownership thereof. [Applause.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent that following the remarks of the gentleman from New Jersey [Mrs. NORTON], I may be permitted to address the House for 35 minutes.

The SPEAKER pro tempore (Mr. SIROVICH). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New Jersey [Mrs. NORTON] is recognized for 20 minutes.

#### THE CASE OF HARRY BRIDGES

Mrs. NORTON. Mr. Speaker, I rise to present to the House the facts concerning charges that have been discussed in the press and elsewhere with regard to the action of the Secretary of Labor in the Bridges case. Because I have been frequently asked by many Members of the House and others for information as to the attitude of the Secretary of Labor, in justice to her and because I wish to satisfy myself and those Members who believe in fair play, I decided to ask the Secretary to supply me with the facts in the case so that we may be able to judge the case on its merits stripped of all emotional appeal. To that end I shall read to you my letter to the Secretary and her reply to me:

JANUARY 18, 1939.

The SECRETARY OF LABOR,  
Department of Labor, Washington, D. C.

DEAR MISS PERKINS: As a result of the recent charges made by the Dies committee with respect to the administration of the immigration laws, and particularly with reference to the case of Harry Bridges, many Members of the House have asked me, in my capacity as chairman of the Labor Committee, if there is any basis for these charges.

As you know, communism, fascism, and nazi-ism are extremely repugnant to me personally and to the political ideals for which I have stood in my public life. I am, therefore, deeply concerned

that charges should be brought that the Department of which you are the head is lax in deporting aliens who carry on propaganda hostile to our democratic institutions.

Since I am regretfully aware that you have had no opportunity to present your own report of the official history of the Bridges case to Congress, I should appreciate a statement from you as to the facts in this case and the application of the law to them.

Sincerely yours,

Mrs. MARY T. NORTON.

The reply of the Secretary I received this morning and reads as follows:

DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
Washington, January 21, 1939.

HON. MARY T. NORTON,  
Chairman, Committee on Labor,  
House of Representatives, Washington, D. C.

DEAR MRS. NORTON: I am grateful to you for your letter of January 18 drawing my attention to the comments of Congressman Dies' committee on the Bridges case, as I have always welcomed any opportunity given me to give an account of my administration of the immigration laws or any other statutes, the administration of which has been given by Congress to the Secretary of Labor. I assure you that communism or any other system of political thought which has as its object the destruction of our historic liberties and the form of government of a constitutional democracy is as objectionable to me as it is to you.

I, of course, cannot agree to any charges that I have been guilty of neglect of duty in enforcing any statute of the United States. It must be remembered, however, that the Secretary of Labor has been given no roving commission by Congress to deport all aliens whose activities happen to be unpopular with many people. The function of the Department in enforcing the immigration statutes is a quasi-judicial process of administrative law based on specific requirements placed in the law by Congress. It is of importance, therefore, that in carrying out this process the Department should proceed with absolute adherence to the Constitution and with punctilious regard to the rights of individuals and for those safeguards of procedure established by the courts under the due-process clause and embodied in the regulations.

According to the records of the Immigration and Naturalization Service, Bridges was legally admitted to this country in 1920. It was not until the longshoremen's strike in 1934 that any complaint was made as to his status in the United States. During the strike the Department received letters calling attention to the fact that Bridges was an alien and asking that he be deported.

The various immigration acts do not forbid an alien to organize workers, lead strikes, induce fellow stevedores not to unload ships, or engage in other trade-union activities. Nor can such actions be regarded as attempts to overthrow the Government. Consequently, none of these letters contained anything relevant to the immigration laws except an occasional one which alleged that Bridges was a Communist. These charges were carefully investigated at that time, and in 1935 the San Francisco office of the Service reported that there was no evidence to show that Bridges was connected with the Communist Party or with any other radical organization, and that an investigation by the criminal-prevention detail of the San Francisco police force had reach the same result.

It was not until the fall of 1937, when the Seattle office submitted some affidavits signed by persons who alleged that they had seen Bridges participating in Communist Party activities, that any concrete charges were filed in this Department. An investigation was then undertaken which resulted in more affidavits being filed and a warrant was issued and the case set down for hearing in San Francisco in accordance with the regulations of the Immigration Service, which provides the alien with an opportunity to be heard and to be represented by counsel before any deportation order is issued, in accordance with the standards of due process prescribed by the courts.

A few days before the hearing date the circuit court of appeals for the fifth circuit, in reversing a deportation order against one Joseph Strecker, an acknowledged member of the Communist Party, held that membership in the Communist Party was not a ground for deportation. Since this was the only charge contained in the Bridges warrant which had support in the affidavits, I was told by the Solicitor of this Department that unless this decision was reversed by the Supreme Court that the charges brought against Bridges, even if proved, had no legal significance whatsoever. The officials of the Department of Justice concurred in this view, and on advice of the Solicitor and the Commissioner of Immigration and Naturalization I postponed pending hearings in all alleged alien Communist cases until the conflict of decisions in the circuit courts resulting from the Strecker opinion was cleared up by the Supreme Court.

This action was in accord with the usual Government legal practice of avoiding unnecessary expense and multiple litigation in the lower courts when a test case is pending in the higher courts. The warrants in cases in this category have not been canceled and further action has been deferred only until the decision of the United States Supreme Court is handed down.

There is no specific reference in the immigration laws to Communists or the Communist Party. The Immigration Act of 1918, as amended by the act of 1920 (41 Stat. 1008, U. S. Code, title 8, sec. 137), upon which the warrant in the Bridges case was predicated provides for the deportation of aliens "who are members of,

or affiliated with any organization . . . that believes in, advises, advocates, or teaches the overthrow by force and violence of the Government of the United States." In cases where Communist Party members have been deported, it has been the administrative practice of the Immigration Service to show the Communist Party was an organization thus described by introducing Communist literature indicating the political doctrines of the party. This was the procedure in the Strecker proceedings, which began in 1933, long before any complaints about Bridges had ever been received. The Solicitor has advised me that the documentary evidence offered on this point in the Strecker case was substantially as strong as the documentary evidence upon which the Government had relied in other cases for the past 15 years.

The Dies committee report has contended that the record in this case was defective in the matter of proof with respect to the nature of the Communist Party. It is not necessary to debate this point, however, since the Supreme Court has apparently taken another view. Under the jurisdictional rules of the Supreme Court, the Government in its petition for certiorari had to show that the Strecker decision of the Circuit Court of Appeals for the Fifth Circuit had created a genuine conflict of decisions among the circuit courts of appeal. The respondent, in opposing this petition, argued that the case was distinguishable from decisions in other circuits because of a significant difference in the evidence presented. Consequently, the Supreme Court's action in granting the writ of certiorari indicated that the Court was of the opinion that the decision in the fifth circuit represented a different construction of the law and that the Strecker case was not distinguishable from other Communist Party cases. This case will be argued next month when the Government will ask that the decision of the Fifth Circuit Court of Appeals be reversed. It is hoped the decision of the highest court will clarify the law so that the Labor Department can feel sure of its legal ground in dealing with cases under the 1918 act.

That the 1918 act as amended is susceptible of varying interpretations is borne out by a report submitted to the House of Representatives a few years ago by the Committee on Immigration when Congressman Dies was acting chairman. In this report it was stated that under the present immigration laws "alien Communists are not excludable or deportable as such." (See Report No. 153, House Committee on Immigration and Naturalization, to accompany H. R. 12044, 72d Cong. 1st sess., dated May 17, 1932.) Inasmuch as Congress took no action upon the bill reported by the committee at that time, the law today is the same as it was in 1932.

The report of the Dies investigating committee has censured the Department for postponing the Bridges hearing until the Strecker case was decided on the ground that the latter case does not have any important bearing on the Bridges proceedings. As a matter of fact, the only difference between the two is that Strecker has admitted his membership in the Communist Party, whereas Bridges under oath has denied that he was ever a member of that party.

Yet this report makes the contention that there were other grounds for deportation in the Bridges case, namely, "that he himself advocated the overthrow of the Government by force and violence and that he had likewise advocated sabotage." The report does not cite any evidence to support this; and, as a matter of fact, there is no such evidence.

It is possible that the committee had in mind the same extracts from two or three affidavits which Congressman Dies drew to my attention in an open letter given to the press on August 30, 1938. These consisted of certain uncorroborated remarks attributed to Bridges in private conversation by two or three of these affiants. These quotations consisted of a derogatory statement with respect to battleships, contemptuous remarks with regard to the President, threatening and intemperate remarks with respect to members of rival union factions. All of them fell far short of amounting to advocacy of the overthrow of the United States Government by force and violence.

After this presentation of its version of the Bridges case, the Dies committee went on to say that it believed there were scores of Fascist, Nazi, and Communist aliens "who could be and should be deported if the Labor Department would proceed against them in accordance with the laws of the land." It makes the broad charge that "the laxity with which the Department of Labor deals with alien agitators would be unbelievable if we did not have before us the most convincing proof. . . . It is further believed that the failure of the Labor Department to carry out the laws with respect to deportation is a contributing factor to the widespread activities and propaganda carried on by un-American elements in the United States."

Only one other case is cited in support of this thesis. This involved an alien named Joseph Kolwaski, who was once deported to Russia because of his communistic activities and later returned to the United States. The charge is made "that he is deportable under the statute, but that the Labor Department has failed to deport him." It is a well-known fact that deportation can never be effectuated in any case unless the country of the alien's nationality issues him a passport. Thus far, both the Soviet and the Polish Governments have refused passports to this alien.

Not a single instance is cited of the committee having discovered that any Nazi or Fascist alien is remaining in this country in violation of the immigration laws, although the committee makes the claim that it had before it "the most convincing proof." In other words, the Department of Labor is condemned for serious failure



to carry out the immigration laws with respect to aliens carrying on un-American propaganda on the strength of two cases, in one of which the Department had pressed to the fullest extent of its legal authority, and the other of which action had been merely postponed pending decision on a legal question upon which even the highest Federal courts and committees of Congress have differed.

I am as desirous as any Member of Congress to preserve our American institutions and to defend them from damage by aliens. I have not found anything in the Dies report, however, which convinces me that I should have ignored the most recent holding of the courts, overruled the legal advisers provided me by law, and not postponed a deportation hearing in the face of my knowledge that even if the evidence at the hearing should sustain the charges, deportation itself could not be effected until the conflict of decisions among the circuit courts had been ultimately resolved by the highest tribunal.

Sincerely yours,

FRANCES PERKINS.

The Secretary of Labor issued a warrant for the arrest of Strecker and a hearing was then held before an examining inspector. On the basis of the findings the Secretary ordered him deported. He appealed this to the courts. The Government won its case in the Federal district court and Strecker then appealed to the Fifth Circuit Court. This court then reversed the decision and upheld Strecker. The Government then appealed this decision to the Supreme Court. This case is expected to come up next month. The circuit court reversed the decision on the grounds that Strecker's admitted membership in the Communist Party was not grounds for deportation.

Strecker admitted being a Communist while Bridges denies membership in the Communist Party. Surely no one would or could believe that the Secretary of Labor has any sympathy with the Communist Party if they know the true facts in the Strecker case—that the basis for her attempted deportation of him was that he was a member of the Communist Party.

The SPEAKER pro tempore (Mr. SIROVICH). The time of the gentlewoman from New Jersey has expired.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the time of the gentlewoman from New Jersey be extended for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. NORTON. Mr. Speaker, I will say to the House that I have said about all that I care to say, and also that I took the floor today merely through a sense of trying to get the true facts of a case about which there seems to be so much misinformation.

Mr. O'CONNOR. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. Yes.

Mr. O'CONNOR. Does the gentlewoman happen to know when Mr. Bridges came to this country?

Mrs. NORTON. I do not, except as the Secretary of Labor tells me in this letter. According to the records of the Immigration and Naturalization Service Mr. Bridges was regularly admitted to this country in 1920.

Mr. O'CONNOR. Has he been here ever since?

Mrs. NORTON. Yes.

Mr. O'CONNOR. Has he made any attempt to become an American citizen?

Mrs. NORTON. That I do not know, but that question is not involved in the deportation charges. There is nothing in either the immigration or naturalization laws to compel a resident alien to become a citizen.

Mr. O'CONNOR. We have heard so many rumors about Mr. Bridges being a Communist and all that, and also reflection upon the fact that he had not become an American citizen, that I was wondering about the fact.

Mrs. NORTON. According to the letter from the Secretary it was not until the longshoremen's strike in 1934 that any complaint was made about his status in the United States. During that strike the Department received letters calling attention to the fact that Bridges is an alien, and asking that he be deported. Apparently for those 14 years there has been no question about whether or not he was an alien.

Mr. O'CONNOR. Outside of his activities in connection with strikes, and in connection with communism, what has been the man's habits in the United States as to being a good American citizen?

Mrs. NORTON. That I know nothing at all about. My only information is with regard to his status under the immigration laws.

Mrs. O'DAY. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. Yes.

Mrs. O'DAY. My information from the Department of Labor is that he entered legally and that his papers were regular and in order.

Mrs. NORTON. I thank the lady from New York, and my understanding is that that is correct.

Mr. HOFFMAN. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. Yes.

Mr. HOFFMAN. Is it not a fact that under the leadership of Bridges, by force, vessels entitled to sail from the west-coast ports and to enter those ports have been prevented from departing or entering?

Mrs. NORTON. I do not think that charge has ever been proved, has it?

Mr. HOFFMAN. The gentlewoman does not know anything about the west-coast strike?

Mrs. NORTON. Excepting what I have read, just as the gentleman has read it in the press and in articles. I have the same kind of information about it as the gentleman has.

Mr. HOFFMAN. Is it the gentlewoman's opinion that vessels have not been prevented from departing and entering?

Mrs. NORTON. I have no direct knowledge on that subject whatsoever. Of course, I have read that the striking longshoremen did not load or unload any cargoes, but that has nothing to do with the immigration laws, which is the point at issue here.

Mr. HOFFMAN. No information?

Mrs. NORTON. Because I have no special information regarding the facts of record, I prefer to express no opinion. I never pass judgment without knowing the facts.

Mr. HOFFMAN. The gentlewoman means seeing it herself?

Mrs. NORTON. Seeing or having evidence that is corroborative, to prove it.

Mr. HOFFMAN. Then the dispatches in the press do not mean anything to the gentlewoman?

Mrs. NORTON. They mean something, but, after all, you read one newspaper which gives one account of a case, and then you read another newspaper containing an entirely different version of the same subject—the gentleman will admit it is rather difficult to arrive at the real facts. I may say that is the reason I wrote to the Secretary of Labor about getting the facts that have been recorded in this case, because I think we have had a great deal of misinformation. As the gentleman knows, and as every Member of this House knows, there is not a Member on the floor who is more opposed to communism, and everything that communism means, than I am. I would do anything within my power to stamp it out. From my contacts with the Secretary of Labor, as chairman of the Labor Committee, I am forced to the conclusion that she is personally as much opposed to communism as I am. I hold no brief for Mr. Bridges, and my opinion of him is not concerned in my desire to learn the truth with regard to the application of the immigration laws to his case. If the evidence in his case proves that he is deportable I would do everything possible to have him expelled from this country.

Mr. HOFFMAN. May I ask this question: If under his leadership it is true that vessels—

Mrs. NORTON. But is it true? What have you to prove that it is true?

Mr. HOFFMAN. But may I ask the question?

Mrs. NORTON. You are asking the question.

Mr. HOFFMAN. But I did not finish it. If under his leadership it is true that by force vessels have been prevented from sailing after the authorities had cleared them

and vessels had been prevented from unloading at the docks, would the lady consider that a defiance of United States authorities?

Mrs. NORTON. Absolutely; I would.

Mr. O'CONNOR. Will the gentlewoman yield?

Mrs. NORTON. I yield.

Mr. O'CONNOR. You are not going to believe that anybody is a Communist simply because somebody else says he is a Communist?

Mrs. NORTON. Absolutely not.

Mr. O'CONNOR. Does not the lady realize that during the war when two people had an argument the worst thing one could call the other was to call him "pro-German"? Now when something comes up, instead of calling a man "pro-German," he is called "a Communist." Is not that about correct?

Mrs. NORTON. It seems to be, I am sorry to say.

I recall exactly what the gentleman speaks of during the war. I do think that we throw labels around far too carelessly. It is a serious matter to say that a man is a Communist or any of the other "isms"—and I rank them all in about the same class—and not have some reason for saying it or some proof of the charge. That is the only reason I have asked for time today, in an effort to clarify this whole question in my own mind and, if possible, to give you the information I think you are all very anxious to have.

Thank you so much. I think my time has expired.

Mr. CARLSON. Mr. Speaker, will the lady from New Jersey yield?

Mrs. NORTON. I yield if I have the time.

Mr. CARLSON. If I understood the reading of this letter correctly, there was a statement to the effect that at the present time we have no legislation which forbids aliens organizing and inciting riots and leading organized strikes in this country.

Mrs. NORTON. I think that is correct.

Mr. CARLSON. It seems to me if that is true, the lady heads the very important Committee on Labor and she should bring before this House legislation dealing with that subject, because certainly the time must have arrived to take care of that situation.

Mrs. NORTON. I would be glad to get the benefit of the gentleman's knowledge on the subject. Thank you so much.

Mr. GROSS. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. If my time has not expired, I yield.

Mr. GROSS. I understood by the letter which the lady read that we could not deport an alien unless the country to which we were going to send him was willing to accept him?

Mrs. NORTON. That is correct.

Mr. GROSS. What are we supposed to do with him—sink him, or shoot him, or what?

Mrs. NORTON. I do not know. I have simply quoted you the law. You understand this is not my own opinion. I have quoted you the law on this matter and the reasons which the Secretary gave. I am presenting her side of the case to my colleagues because she cannot appear before the House. And if I know anything about the majority of my colleagues, it is that they want to be fair. I do not think she should be blamed for the failure of a foreign government, over which she has no control, to issue passports.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has again expired.

#### EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therewith a speech that I made.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. ENGLEBRIGHT. Mr. Speaker, I trust the gentleman will withhold that request, due to the situation, because otherwise I will have to object.

Mr. PATMAN. It is simply a unanimous-consent request to include my own remarks.

Mr. ENGLEBRIGHT. Unless the gentleman will withhold that, I will have to object to it, due to the situation which I think the gentleman is aware of.

Mr. PATMAN. I will be glad to do that. I will withdraw the request, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

Mr. PATMAN. Mr. Speaker, reserving the right to object, I do not understand the situation. If I am not to be allowed to extend my own remarks, I do not see why anyone else should be allowed.

The SPEAKER pro tempore. The gentleman from Texas has already withdrawn his request. Does the gentleman wish to renew it?

Mr. PATMAN. No; I do not renew it, under the circumstances. I just wanted to understand the situation.

Mr. O'CONNOR. Mr. Speaker, do I have permission or not?

Mr. MARTIN of Massachusetts. I will object to it, and that will settle it.

Mr. O'CONNOR. I just want to revise and extend my own remarks on a question I asked one of the Members.

Mr. MARTIN of Massachusetts. Until we get this matter straightened out we had better hew strictly to the line.

Mr. O'CONNOR. What is the question you want straightened out?

Mr. HOFFMAN. Regular order, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Under special order of the House, the gentleman from California [Mr. LELAND M. FORD] is recognized for 35 minutes.

#### MIGRATION OF DESTITUTE PERSONS

Mr. LELAND M. FORD. Mr. Speaker, I wish to speak on the Tolan resolution, introduced January 19, providing for the Speaker of the House to appoint a special investigating committee of five members to inquire into the interstate migration of destitute citizens to study, survey, and investigate the social and economic needs and the movement of indigent persons across State lines, obtaining all facts possible in relation thereto, which would not be of public interest but which would aid the House in enacting remedial legislation.

This was concurred in by my other good friend and colleague, Congressman GEARHART, also from California.

I have come here from the Board of Supervisors of Los Angeles County—this is the same as county commissioners in some of the Eastern States—where 5 supervisors handle all the 54 departments of government, including, of course, the budget; and due to that experience I believe I have some information that should be helpful and informative to this committee when formed, chiefly to indicate what is happening to some of these western communities with particular reference to their finances, and to try to show the seriousness of the matter and the necessity for speedy action.

This is a matter that certainly is a nonpartisan one and one in which both sides of this House, Republicans and Democrats, should be interested, and one upon which both these great parties can meet upon the common ground of the safety and welfare of this country above everything else.

It is the matter of the great expenditure of money and its relationship to taxes and the ability of the taxpayer to pay the bill. Our taxpayers are interested not only in the amount of Federal tax that they are called on to pay but the State, county, city, and district taxes that go to make up the total tax, for, after all, they have to pay all the tax whatever it may be.

Any of us who have served in government know that there is only one common, general source from which to obtain any amount of money that is spent, no matter for what purpose it is spent, and that is from our people by taxation.



We who have had the responsibility of general government recently further know that there is a limit to the ability of taxpayers to keep on paying and that in many places there have been serious threats of taxpayers' strikes, and that in Cook County, Ill., a taxpayers' strike did actually take place, with many detrimental results.

We further know that there is such a thing as the equalization of taxes for communities, and this should extend to the States. Therefore, I think it is fair and proper to say that the matter of indigent migration is one in which equalization of the relief load taxes can and should be equalized. This migration of indigents has thrown a disproportionate tax load on many States which they can no longer continue to bear and pay.

As an instance of what is actually happening in California I would like those of you, who do not know, to know that the treasurer and tax collector of Los Angeles County has just advised me that right now there are 275,000 pieces of property in Los Angeles County upon which the taxpayers cannot pay their taxes, and these properties have now become delinquent.

We have a moratorium provision, I may say for those of you who do not know, permitting the payment of taxes on delinquent property in 10 equal annual installments.

Many thousands of these properties have been delinquent over 5 years and have been sold to the State under our California law. How many other counties have similar conditions to face now or will have them later on? What is causing this situation?

I do not think there is any question but that this indigent migration has been one of the greatest factors in the increased tax load of many communities. This has been very well covered in the Monthly Labor Review by the United States Department of Labor, August 1938, volume 47, page 2, beginning on page 240 under Refugee Labor Migration to California, 1937.

I am not going to try to cover that here now but give this as a reference for informative information for the committee and others who should be interested.

I think part of the answer, at least, is contained in the wire from Roger Jessup, chairman of the Board of Supervisors of Los Angeles County, which is here quoted:

All Los Angeles County watches with anxious interest the efforts now being made to halt flow of indigents here. Federal policies responsible for this influx must be changed to avoid eventual disaster. The influx of these indigents since earliest years of depression has brought on critical economic situation and tax strike is threatened as result of excessive charity burden it has imposed. Two years ago this county's charity budget was \$25,000,000, last year it was \$35,000,000, and this year it is up to \$42,000,000. More than 56,000 persons in this county alone now receive aged aid at annual cost of \$20,000,000. More than \$5,000,000 of county tax funds exclusive of cost of administration and hospitalization being spent this year to care for unemployables. Over \$950,000 this year goes to care for indigent aliens, most of whom have become permanent charges. Total county, State, and Federal aid in this county this year totals \$70,000,000. No more indigents can be handled without lowering subsistence budgets. Influx from other regions largely responsible for this situation. We look to you to save this beautiful county from becoming Nation's poor farm.

I may add that in 1928 the relief bill was \$10,000,000, but that bill has grown to \$43,000,000 in 10 years—from \$10,000,000 to \$43,000,000 for charity relief alone.

Mr. Speaker, I ask unanimous consent to include and to have printed as part of my remarks a chart showing the county of Los Angeles financial program for 1937-38, a chart which was sent out with every tax bill in Los Angeles County.

Mr. CRAWFORD. Reserving the right to object, Mr. Speaker—and I shall not—I wonder if the gentleman can explain how this chart will appear in the RECORD, whether it will be a photographic copy or by a graph?

Mr. LELAND M. FORD. I do not know how it is usual to handle such illustrations, whether by photostatic copy inserted in the RECORD or not, but I think it should be reproduced in some way.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The matter referred to follows:

#### EXHIBIT 1

#### County of Los Angeles financial program for 1937-38

##### WHERE THE MONEY COMES FROM

Aid from State and United States, 26 percent.....	\$14,645,430
Taxes, 59 percent.....	34,074,831
Miscellaneous revenue, 7 percent.....	4,405,958
Surplus, 8 percent.....	4,589,106
<b>Total.....</b>	<b>57,715,325</b>

##### HOW THE MONEY IS SPENT

<b>Charities, 60 percent:</b>	
Relief, 40 percent.....	23,393,912
Institutions, 15 percent.....	8,446,816
Administration, 5 percent.....	3,148,316
	<b>34,989,044</b>
<b>Services to public, 24 percent.....</b>	<b>13,445,134</b>
Support of government, 10 percent.....	5,745,632
Legal payments, 2 percent.....	978,103
Reserves, 4 percent.....	2,557,412
<b>Total.....</b>	<b>57,715,325</b>

##### GENERAL COUNTY INCOME

The county of Los Angeles estimates that it will receive the following money to finance general county expenditures during the fiscal year 1937-38:

General taxes levied on real and secured personal property at \$1.41 per \$100 assessed valuation.....	\$32,480,916
Taxes on unsecured personal property, securities, and solvent credits.....	1,593,915
Subventions from the State and Federal Governments for aid of children and blind and aged persons.....	13,536,430
Other aid to be received from the State and Federal Governments.....	1,109,000
Fees, licenses, interest on deposits, and other miscellaneous receipts.....	4,405,958
Surplus carried over from previous year, collections of delinquent taxes, and accounts receivable.....	4,589,106
<b>Total estimated revenue.....</b>	<b>57,715,325</b>

##### General county-tax rates and assessed valuations, 1928-37

Year	Rate	Valuation
1928.....	\$0.72	\$3,168,361,435
1929.....	.88	3,296,558,010
1930.....	.88	3,181,324,420
1931.....	.88	3,122,441,965
1932.....	.88	2,513,695,765
1933.....	1.20	2,153,864,850
1934.....	1.20	2,083,573,720
1935.....	1.19	2,346,332,065
1936.....	1.27	2,358,947,245
1937.....	1.41	2,437,882,080

Mr. LELAND M. FORD. I am not going to quote you many statistics, but am going to quote some figures taken from this graphic statement issued with every tax bill in Los Angeles County, giving an accounting as to how much and where we received the money to run government and what happened to that money, or, in other words, how it was spent. This statement was sent out so that taxpayers could see what was going on in order that they might become "charity relief cost conscious" and to get their reaction. We got their reaction. Most people do not realize the relative cost of the relief program to government nor its restrictive and limiting effect upon the necessary functions of government.

The total shown here, which is the total budget of that county, is \$57,715,000. Sixty percent of this total went to charity relief—in round figures, \$35,000,000. This was startling information not only to many officials but to our people as a whole to find that the item of charity relief had become larger, bigger, greater than the combined total of the other 53 departments of government. This graph showed that out of a tax levy of \$34,000,000, against it for payment was \$35,000,000 for the one item of charity relief alone.

The only way that government was carried on was due to the fact that there was a four and one-half million dollar surplus, \$4,000,000 that we collected in miscellaneous revenue, and that the State government and the United States Government had given \$14,600,000 to the county. In other words, it shows that if it were not for this aid received from the Federal Government the county government could not have been carried on at all under the prevailing conditions. The county tax rate has jumped from 72 cents to \$1.52. This does not include the city rates, which, when included, show for Los Angeles city \$5.44, and in many of the outlying cities a rate much higher. In other words, from 5 to 6½ percent. Out of last year's county rate of \$1.41, 73 cents went for charity relief alone and 68 cents for all the other 53 departments of government. It appears, then, that government has become incidental to charity relief, whereas, in my opinion, charity relief should be incidental to government.

We have just gone through some very trying times caused by excessive mortgages on homes and real estate, with the Federal Government trying to correct these conditions. With this tax rate of from five to seven dollars per hundred, most people do not stop to think that it has the effect of placing an involuntary mortgage on all property in the county to about 50 percent of its real value, and in which case the owner of the property upon which this mortgage is placed does not actually receive any money. This occurs when the assessor makes his valuation of the property, which in many cases is about 50 percent of its real value. Take, for instance, a man with a \$10,000 home; if a suggestion was made that a \$5,000 mortgage or trust deed be placed on his home at the rate of 5 to 7 percent per annum for which he would not receive the money, he would immediately become very much discouraged and very much frightened as to his future ability to pay it. That is exactly what we are doing when we place a tax rate of that amount on the property. While the principal may not become due, there is that tax burden equivalent to the payment of interest at the rate of from 5 to 7 percent.

I draw your attention again to the fact that the item of charity relief there is costing more than the other 53 combined departments of government. The effect of this relationship upon the other departments has been to restrict, curtail, and cut out certain necessary functions of government, as demonstrated in our forestry department, our flood-control department, and our road department.

We did not have the personnel, fire-fighting equipment, properly maintained fire trails, nor firebreaks, as was demonstrated in our fire some 8 weeks ago which burned over 23,000 acres and destroyed some 500 homes.

The flood-control department has reached its legal limit under the law as to rate of taxation. Last year \$1,250,000, and this year \$550,000, had to be taken out of the road department budget in order to continue flood-control work necessary to protect life and property.

We were unable to place any new construction for roads in our road department budget and, in addition to this, could not rebuild 19 bridges, costing from \$250,000 to \$600,000 each, that were lost in last March floods, nor take care of the approaches to these bridges.

The reason we could not take care of this was we did not have the money and could not make additional levies on the already over tax-burdened real estate and personal property of that county, as the people could not pay it, which fact is demonstrated by the further fact that there are now 275,000 pieces of property that cannot pay their taxes in this county and have therefore become delinquent. This is the record over the last 4 or 5 years, and it is getting worse.

The question might be asked why the budget was not reduced. The answer is that it was reduced and the budget of every one of the 53 departments was cut down to the danger point and some cut even below that due to necessity. This is further proven by the fact that county government was carried on for only 68 cents, exclusive of charity relief. Wherever it was possible to cut, cuts were made, but 70

percent of this budget has now become mandatory, with only 30 percent discretionary.

It should be seen from the above where the costs are. It may be informative to know, that in 1928-29, 82 percent of this charity relief budget was discretionary, with only 18 percent mandatory. The positions have been exactly reversed, with 82 percent now mandatory and 18 percent discretionary. I might state that when I use the word "mandatory" I mean that those are the things upon which there is no choice, but they are set out by law and have the effect of being commands. We must do these things whether we want to or not.

It might be interesting to know that last year the liberalization of aged aid alone cost that county between twelve and fourteen million dollars and that there are now more than 56,000 persons in this one county alone receiving that aid.

Further, in the fiscal year 1930-31 the aged aid case load was 16,226. This case load rose in 7 years to 430,500 for the fiscal year 1937-38, or an increase of 2,550 percent in 7 years. This was brought about by the enactment of Federal legislation. In order for California to receive benefits thereunder it had to change its legislation to conform with that of the Federal Government. These changes were as follows:

Cutting the required age from 70 years to 65 years.

Changing the residence requirement from 15 years to 5 years.

This let down the bars to many thousands. In order to take care of the new load with proper registration, we had to put on 107 additional personnel, and this personnel was making appointments in August to meet these people as late as March of the following year, all to draw aged aid relief of \$35 per month.

It is interesting to know that a memorandum was prepared by Los Angeles County for Mr. Harry L. Hopkins as of his request of July 7, 1937, and things have become worse since then.

The relative cost per capita was 92 cents in 1925, and in 1936 this had risen to \$44.62. When this same figure is reduced to relief cost per taxpayer, leaving out those who are on relief, it is found that they have risen to \$87.51. When the additional figure for supplying medical and institutional relief to resident and nonresident indigents is included, this adds an additional \$8.98, bringing the total cost per capita to \$94.28 for the year 1936, and conditions are now worse. That same statement shows (par. 5, p. 2) that the California State Department of Agriculture reported 2,460,614 persons entered the State of California by automobile in the 12-month period ending April 30, 1937, with the destination of 74 percent of these persons given as southern California. A substantial proportion of these people volunteered that they were in need of manual employment and that over 75 percent were from so-called drought States. During this same period—April 1937—there were 101,510 on charity relief made up of aged, 43,000, which figure you will note has now jumped to over 56,000; blind; orphan children; indigent; general hospital; tubercular sanatorium; poor farm; and convalescents.

The question may arise as to why the county should take care of these people under the limitations of the State law. We do not take care of them directly, but here is exactly what happens. They have arrived, out of employment and in most instances destitute and hungry, and in this condition—say the wage scale is \$3.50 per day—they will work for less and if enough of them continue to come they will work for still less. They then fill the positions in many capacities of those people who are residents, thus throwing the residents who are qualified for relief directly on to the relief rolls, which in turn throws an immediate burden upon the taxpayer, breaks the wage scale, and lowers the American standard of living.

Business and industry are restricted by reason of being unable to sell to these people of a lower standard of living, and by reason of less volume, pay rolls are lowered in number, which in turn causes more unemployment. It



creates a very vicious circle in which every person in California is interested—the taxpayer, the businessman, the laborer, and last but not least, all those who are entitled to receive benefits must watch the resources used to pay for these benefits melt away.

I give you this information hoping it will disclose the picture of conditions not only in Los Angeles County but similar conditions prevailing in Kern, San Joaquin, and many other counties, and I hope this may be publicized because many of these things are not known to people who have not actually handled budgets, and I believe it is the duty of every governmental official to give his people the facts.

California is a State which, on account of natural conditions, should and can sustain itself and its people, but most of the cause of all this financial difficulty is the great indigent migration of people from other States. This State can carry its own load but it cannot carry the load of the other 47 States in addition to its own. I, therefore, believe there is plenty of room for the equalization of this tax load.

People have come to this State on account of its climatic conditions and the fertility of the State itself, and in addition to that to receive aged-aid benefits and charity benefits, but the Federal Government is not bearing its rightful proportion of these costs. It is self evident that the number of people on relief in that State is out of proportion to the population.

It is true, that the Federal Government does make grants to the various States for the purpose of relief and for the further purpose of helping these States financially to care for their people. This should have the effect of reducing the State tax load in these States, and, in my opinion, it does, but here is a fact that must be considered: That in those States which are receiving this Federal aid to take care of their relief load, when great numbers of those receiving relief migrate to other States, it has the effect of further reducing their taxes, but when the States to which these people migrate do not get the funds which were supposed to go to these indigents, such States automatically have their tax load increased, and this is what is happening to California and to many other States.

It is the opinion of people of the State of California that this relief money should follow that migration.

We are prepared in California, through our records, to tell where every migrant comes from, and we believe that the Federal Government should recognize the inequality of having the State of California take care of other States' loads without additional funds with which to do it.

It is my belief that if the tax load becomes so heavy in this or any other State that it becomes uneconomical to carry on any business, to own homes or own property; that there is nothing but failure ahead; and in order to protect against a situation of this kind is one of the reasons I am making this talk.

Some States might take the view that they are accomplishing something for themselves by sending this load on to California, through this migration of people on relief, but these States must remember that when the resources of California are gone, these same people will have become accustomed to relief, and they will then go back to the States which can carry them, either to the Southern States, where climatic conditions are attractive and where it does not cost so much to live, or to those Northern States which have great capital; and these people know which these great States are, and they will go there knowing that they have the money to carry them. This should be given consideration by every State.

The statement will probably be made that California is advertising for these people. This statement is not true, because if one will take the trouble to read the advertisements that are carried by California it will be found therein that the specific request is made not to come to California looking either for a job or for relief. California does advertise, and I maintain that it must continue to do so, for industry to come, and for those people who have the means to sustain themselves. We must do this out of self-defense,

for while we have so many jobless people it would be foolhardy, in my opinion, to discontinue bringing in those industries which bring employment to our people.

Mr. CRAWFORD and Mr. MURDOCK of Arizona rose.

Mr. LELAND M. FORD. My time is limited, and what I am about to say I think will answer some of the questions that may be in your minds.

To show that conditions are getting no better, out of this year's budget of some sixty-eight millions, forty-three millions are set aside for relief.

I want it understood right here and now that I do not want anyone to draw from my statements the inference that I am against necessary relief. I am not; and I have just as much kindness in my heart and just as much charity in my heart, and so has the State of California, in the consideration of this matter as anyone in this room; but regardless of that, that State is finding it impossible to carry the whole load. We can and will carry our own.

I want it further understood, too, that I cast no aspersions of any kind upon those people who are on relief and who have migrated, for I believe them to be, in many instances, very fine people who have found themselves in this unfortunate condition over which they have had no control. But I would like to draw to the attention of those who are already on relief, particularly in California, that if this migration continues it will eventually take that aid that they are now getting away from them, after all resources are used up.

To those people who are disabled and to those who find themselves in unfortunate circumstances and are willing to work, my heart goes out, but to those who have become professionals, in this matter of relief, and who are living off those who are on relief, I say it is high time that we close the doors. I mean by this last group, those pressure groups who constantly appear before legislative bodies with a selfish purpose in mind demanding higher and higher relief costs, such as the Workers' Alliance has done in Los Angeles County, and those other pressure groups who advocate higher costs without regard to the ability of the people to pay. The danger is that many legislative bodies will have a false conception of the real conditions by reason of the numbers of these people who appear before them, and that these legislative bodies will lose their idea of relationship between the number of these people compared to the number of people who are actually paying the bill, for, after all, the taxpayer, who is in the majority and is paying the bill, is too busy to come before these bodies to give his side of the picture.

Roughly speaking, I believe it is true that about 14 percent of our people are on relief, and that the 86 percent who are not are paying the bills. It is high time, too, that we give this 86 percent some consideration, for certainly we cannot go ahead and wreck the 86 percent no matter how kindly we might feel toward the remaining 14 percent. We must not forget that, after all, this 86 percent can and does sustain the Government and the 14 percent, by paying the bills, and the 14 percent cannot sustain either the Government or the 86 percent. We must also watch that this 86 percent should not be lessened and the 14 percent be increased, because somewhere along the line there certainly is a danger point in this balance, and after that danger point is reached and passed our whole governmental and business structure will eventually fall.

We must not teach our people not to work nor that they should look for relief instead of looking for work.

We must teach them to become self-sustaining.

#### REMEDIES

It is not sufficient to talk only about these things, but remedies must be looked for.

First. This resolution by Mr. TOLAN should be supported, the investigating committee appointed, and the investigation made.

Second. The suggestion is that the Federal Government should provide relief for marginal people in their home States in order to prevent much of this migration.

Third. The Federal Government should disseminate information at the sources of this migration that there will be no relief available to nonresidents of California or States where these same conditions apply.

Fourth. The Federal Government should encourage and aid the return to their homes of the idle thousands now in California and in other States who have neither lost their legal residence in their respective communities nor achieved legal residence in California or other States.

Fifth. The Federal Government should recognize the inequality of having California or other States pay for these people who have come into their respective States from the outside and should transfer the money that is granted for relief to the States to which these people have moved.

Sixth. It should equalize and make uniform the benefits of aid to the aged so as not to make those States which are paying aged aid benefits pay all migrants from those States which are not.

Seventh. It should be driven home to people who are contemplating migrating that it would be far easier to find work in communities where they are known and where jobs are to be found than it would be in a strange place; that in that community where they are known they would have the additional help of those who know them in finding positions.

I hope that the things mentioned herein will be given careful consideration by you gentlemen from the respective States, because eventually you are going to have to reckon with this situation; and while this situation in California and some other States may now be more acute than that in your own, remember, when the resources of these States are gone these migrants will go to the places where there are still resources left and where they can be taken care of. I ask your full consideration of this and hope you will realize the importance of this matter to the welfare of all our people. [Applause.]

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield for a question?

Mr. LELAND M. FORD. I yield.

Mr. CRAWFORD. I ask the question in all seriousness: Does the gentleman believe that these transients have gone to California more from the standpoint of climate than they have in order to secure these old-age benefits which have been pointed out, being led very, very largely by propaganda which has come out of California, not from State authorities but from those who have advocated great payments to the aged? Which has been the drawing card, the climate or the expected monetary benefits?

Mr. LELAND M. FORD. The matter will have to be segregated by periods. During the present period, in the last 4 or 5 years, due to the high rates paid by the State of California these people have been flocking to it.

This can be proved by inquiries that are coming into that State asking for the amount of aid we pay. In prior years it may have been true that they went there on account of climatic conditions, but now I think it is a combination of both.

Mr. CRAWFORD. Let us assume you had a \$10,000 home in this county at the present time. I mean a home that would sell to a willing buyer for \$10,000. What is your assessed valuation and what is the annual taxes on that home?

Mr. LELAND M. FORD. The valuation would be from \$4,000 to \$5,000 on a \$10,000 home and the taxes would be about \$200.

Mr. CRAWFORD. I may say to the gentleman we have cities back in the Northern States in which the taxes are double that rate at the present time and we have not that influx of people.

Mr. LELAND M. FORD. That is probably due to your climatic conditions. I have interviewed some of these people, and I want to cite one specific instance. I asked a man why he came, and he said, "We will not freeze in this country." He said further, "I do not have to buy coal, and if I have not an overcoat my people will not freeze to death." He said, "I think I have a right to come here under those circumstances." If you have a home with a valuation of

\$5,000, with a \$200 tax, you are getting taxed pretty stiffly. Regardless of the tax rate and valuation in your State or mine, that does not say that the taxes in my county are too high or those in the gentleman's county are too high.

Mr. CRAWFORD. It does not; but the taxpayer enters into the matter.

Mr. LELAND M. FORD. That is right.

Mr. CRAWFORD. In the county where the tax is now \$500 per year instead of \$200 per year the taxpayer is no more able to pay the \$500 plus than the man in California with a tax of \$200.

Mr. LELAND M. FORD. Is the gentleman giving me a hypothetical case?

Mr. CRAWFORD. I am giving the gentleman an actual case. I could produce the tax receipts to show this. I have spoken on the floor about this matter time and time again.

Mr. LELAND M. FORD. I happen to know something about taxes, having been on the tax board of my county for a number of years. It all depends on your method of taxation. If your assessor puts a \$10,000 valuation on that property, that is one thing; but if he puts the same valuation on that we do—50 percent of its actual valuation—then you get a different figure. It all depends on the respective rates. In other words, we have to put them on a comparable basis.

Mr. CRAWFORD. I appreciate that.

Mr. LELAND M. FORD. In our county the assessor puts on a 40 to 50 percent assessed valuation and the \$200 is predicated on that assessed valuation. If our assessor assessed on a 100 percent basis, then the tax would be \$455.

[Here the gavel fell.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

(Mr. HOFFMAN asked and was given permission to revise and extend his own remarks in the Record.)

Mr. HOFFMAN. Mr. Speaker, the President's program of preparedness is not the only "getting ready" that is being done by this administration.

Some may have thought that the appointment of Frank Murphy as head of the Department of Justice was merely his reward for his aid to Lewis, the C. I. O., and the Communists during the Michigan sit-down strikes, but as the President called him back from the Philippines to become Governor of Michigan, so now he is placing him in a position where he can aid in controlling patronage for the 1940 campaign.

Nor was Murphy slow in delivering the goods. Toward a successful campaign in 1940 control of the W. P. A. posts in Michigan would be a great aid.

Let me quote here what the Michigan Times, published at Grand Rapids, had to say on this subject. I quote:

#### JOB NO. 1 FOR THE ATTORNEY GENERAL

If former Gov. Frank Murphy is confirmed by the Senate to the post of Attorney General of the United States, job No. 1 on his docket should be an investigation by Attorney General Murphy into the conduct of Lame Duck Murphy in connection with the affairs of the Works Progress Administration in Michigan.

He won't have to go far for the evidence; he can consult his own conscience—that conscience which in his public speeches he refers to so frequently and with such warm approval.

No public figure in our time has basked in his own self-approval to quite the same extent as has Frank Murphy. About every third sentence in his stump speeches concerns his purity of motive, his purity on his own admission being such that he must look down with some contempt on a well-known soap, which is only 99<sup>1</sup>/<sub>100</sub> percent pure.

Well, let's see how this one-man purity league operates.

He was defeated at the polls last fall by an electorate that had become more than a trifle allergic to conversation unaccompanied by action. On December 31 he left office, his right wrist somewhat lame from patting himself on the back, and departed for Washington. Immediately things began to happen.

You see, if Michigan is to be carried by the Democratic new dealers in 1940, control of the W. P. A. key posts in Michigan is a vitally necessary factor, according to the ideas of Mr. Murphy. The worth of the continual assertions of the new dealers that "no political coercion of W. P. A. employees would be tolerated" is revealed by Mr. Murphy's next step, which was to "promote" the



capable and honest Louis M. Nims, State W. P. A. administrator, to a post in Chicago and appoint Col. Abner Larned, of Detroit, to succeed Nims.

The idea was that by "promoting" Nims and getting him out of the State, in a few months he could be dropped with less outcry and his place filled by a more complaisant and politically minded new dealer. Nims saw this move coming, refused the promotion to the Chicago post, and accepted a position as deputy State highway commissioner under Murray Van Wagoner.

Then the program continued. It was necessary to provide a job for Charles Weber, former treasurer of the Kent County Democratic Committee, former secretary of the State administrative board, and (most important of all) manager of Murphy's 1936 campaign in Kent County. So the next move was to discharge on a week's notice Albert D. MacRae, west Michigan regional director of the W. P. A., and give his job to Weber.

For 3½ years MacRae had headed the W. P. A. in 21 western Michigan counties, and in that time the honesty and integrity of his character and the excellence of his technical training had produced results so obvious that the western Michigan district was frequently cited by national officials as a model of what W. P. A. should be. He brought to his job, a job that involved the spending of millions of dollars of the public funds, a wealth of experience as an engineer, a building contractor, and a highway constructor. No hint of scandal was ever breathed against his handling of his office; he refused to play politics with human misery, and no W. P. A. employee ever received from him any "orders" as to how he should vote.

Literally hundreds of schools, hospitals, and public buildings, mile after mile of highways, sewer systems, and waterworks projects were erected under his direction. In 3½ years Louis M. Nims, as State administrator, and Albert D. MacRae, as regional director, made only one mistake, and that mistake was fatal.

It was a mistake that was easy for honest men to make.

That mistake was this: They accepted at face value the protestations of the new dealers that W. P. A. was not to engage in political activity. They refused to "turn on the heat" even when such a New Deal darling as Frank Murphy was fighting for reelection. As a result, they're out.

This then, translated into actual action, is all that Mr. Attorney General's fervent apostrophes to purity in government really mean. It means that an able engineer, doing an engineer's job and doing it well, must be removed to make room for a former instructor in junior high school who has, as far as the record shows, never spent a day directing any construction project anywhere. Mr. Weber will now direct the work of thousands of men and the expenditure of millions of dollars, and his qualifications for this post? He was Frank ("Purity-in-Government") Murphy's Kent County campaign manager in 1936!

As they sing in Gilbert and Sullivan's "Patience," "Why, what a particularly pure young man this pure young man must be!" You can take the witness now, Mr. Attorney General.

Some may have thought that kicking Harry Hopkins upstairs and out of W. P. A. was to place him beyond the reach of those who have exposed his use of Federal funds for political purposes. That may have been one purpose, but we should not forget that the 1940 census will soon be in the making; that the appointment of thousands of census enumerators will fall under the jurisdiction of Hopkins as Secretary of Commerce.

Having shown in the W. P. A. his exceptional ability for the distribution of Federal relief funds where they would do the most good politically and having been caught distributing money appropriated for food, clothing, and shelter for the purpose of purchasing votes in Pennsylvania, Kentucky, and other States, Hopkins can be more useful in this new field.

Oh, yes, the President advocates preparedness. Just as he induced Democratic Congressmen and Senators during the first years of his administration to give him a blank check for billions of dollars, much of which his subordinates used in an effort to defeat the very men who trusted him, who voted him the money, so now he is again preparing in advance for the political campaign of 1940, with control of the National Democratic Convention as his immediate objective.

It is more than passing strange that those Democrats against whom the powers and the money of the Federal Government will be used cannot see the handwriting on the wall, or lack the courage to check him in his effort to destroy them as well as our form of government.

#### EXTENSION OF REMARKS

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, the address we have just heard of the gentleman from California has been particularly interesting to me, for I find that my State of Arizona, of which I am the sole Representative in this body, has very similar problems and is harassed by the same difficulties, if not to the same degree, as is the Golden State on the Pacific coast. It is true that we have some of the same economic inducements in Arizona, and, in addition, we have other inducements which give us a slightly different phase of the problem than that which the gentleman from California has explained to us. It is about this different phase that I wish to speak briefly.

Since 1849 and the memorable gold-rush days California has been the land of promise, not only to the people of the whole United States but to the people of other lands as well. It has been regarded as a new land of untold economic possibilities. It is not surprising that the gold rush has continued and has gradually lost itself in the sunshine rush of recent years; but when it comes to furnishing sunshine for health purposes Arizona vies with her neighbors in that regard. We are glad to tell the world of this fact, but we do not wish to overadvertise our climate in this respect, for we in Arizona much prefer that the rest of the country shall know that Arizona is as good a place for the well to come and live long as for the sick to come and get well. It is the latter class, however, in all parts of the country, who are better and more widely informed than is the former class.

In view of the fact that Arizona, in its remarkable topography, affords a range of temperature and climate such as is found from the Equator to the North Pole, with sunshine everywhere, makes it ideal as a natural sanitarium for those afflicted with sinus trouble, arthritis, asthma, or tuberculosis. It is equally favorable for those who wish to avoid contracting such physical ailments. Of late years eastern doctors are quite likely to say to certain of their patients, whether the patients be wealthy or poor, "Go to Arizona." Just as California has been for a long time "the land of promise" so has Arizona for a shorter time been known as "the land of health."

Most of the transient and indigent folk who enter California do so through Arizona; probably more than 60 percent enter over Highways 60, 66, 70, and 80; or, if they go by rail, over the Santa Fe and the Southern Pacific Railroads. Not all of those who enter Arizona on the east pass entirely through the State, for many of them stop in our southern valleys as migratory farm laborers. The easiest way to get to California from any part of the country lying to the east is through southern Arizona, which accounts for so many entering California from Arizona and explains in part why so many stop in Arizona.

In the House RECORD for Saturday, August 21, 1937, I had something to say in the last Congress about Arizona being "Uncle Sam's sun parlor," and at that time I pointed out that the United States Government, as well as various churches and fraternal organizations, recognized the merits of our curative climate by establishing hospitals, sanitariums, and such institutions in our land of sunshine. We welcome all such efforts, and we want physically distressed citizens from all parts of the country to come to the health-giving climate of our southwestern community. At the same time, it should be known we are struggling under a heavy burden which is thrown upon us. Especially is this true with regard to the indigent sick.

Hundreds of families are flocking into Arizona with one or both parents suffering from tuberculosis, and they feel that if they can only reach the desert, no matter how poor they may be, the cure will be quick and inevitable. Many pathetic cases have come to my personal attention.

The health authorities of Maricopa and Pima Counties and the State health authorities have explained to me the distressing situation. The local authorities cannot take care of these poor folk, nor even protect their children who may be afflicted unless some Government protection is offered them.

A recent school survey shows an alarming amount of tuberculosis among school children in Arizona. I am positive that

these afflicted children were born in other States and brought the tuberculosis with them to Arizona. The superintendent of the largest school system in Arizona urged me to work with him to provide open-air schools where tubercular children may be given physical care at the same time their minds are being developed. But that same school system has been growing by leaps and bounds, so that the rich community is unable to house its school children adequately, and is now very much overcrowded and lacks even ordinary housing facilities. The community cannot possibly furnish open-air schools for its tubercular children.

However, it is not for the tubercular school children alone that I make this plea, but for parents and children of the many, many transients who struggle to the "land of sunshine," live under most deplorable conditions, with the hope that the healing rays of the sun will check this dread disease. I do not know what proportional part good food, clean, and comfortable surroundings, together with pure air and sunshine, have to do in curing tuberculosis, but I do think it is too much to expect a starving family to get well on sunshine and climate alone. In Arizona there is a minimum resident requirement necessary before indigents may receive local government aid. That is a very cruel but necessary local provision. Certainly the General Government ought to do something to help take care of these transient sick.

If an investigation is to be made of this whole relief problem, Arizona will be more interested in proportion to wealth and the load which she is carrying than any other Southwestern State. I do feel that this is an urgent matter, and I do hope that Congress can view the situation as a national problem worthy of immediate attention.

#### EXTENSION OF REMARKS

Mr. CARTWRIGHT asked and was given permission to extend his remarks in the RECORD.

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by printing in the RECORD two speeches I made in the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### CORRECTION

Mr. CONNERY. Mr. Speaker, on page 19 of the semi-monthly Congressional Record Index No. II I am credited with having introduced H. R. 2335, a bill for the relief of Dent Allcroft & Co. The author of this bill, I understand was Mr. CROWTHER. I ask unanimous consent that the Congressional Record Index may be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CONNERY]?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. VAN ZANDT. Mr. Speaker, on Wednesday next, after the disposition of business on the Speaker's table and at the conclusion of special orders heretofore entered, I ask unanimous consent to address the House for 30 minutes on the subject of national defense.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. VAN ZANDT]?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MITCHELL, for 10 days, on account of illness in family.

#### ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 51 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 24, 1939, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 24,

1939. Business to be considered: Hearing on H. R. 2531—transportation bill. Commissioner Splawn, of the Interstate Commerce Commission, is expected to be the first witness.

##### COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs in room 1310, New House Office Building, at 10:30 a. m., January 24, 1939, for the consideration of the President's message on national defense.

##### COMMITTEE ON WAYS AND MEANS

Public hearings will begin Wednesday morning, February 1, 1939, at 10 a. m., on social-security legislation, in the Ways and Means Committee room of the New House Office Building, Washington, D. C.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

305. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1939, to remain available until June 30, 1940, for the Children's Bureau, Department of Labor (H. Doc. No. 123); to the Committee on Appropriations and ordered to be printed.

306. A letter from the Administrator of Veterans' Affairs, transmitting the draft of a proposed bill to authorize the Administrator of Veterans' Affairs to exchange certain property located at Veterans' Administration facility, Tuskegee, Ala., for certain property of the Tuskegee Normal and Industrial Institute; to the Committee on World War Veterans' Legislation.

307. A letter from the Secretary of Agriculture, transmitting a report prepared by the Agricultural Adjustment Administration on operations during the fiscal year ended June 30, 1937; to the Committee on Agriculture.

308. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 28, 1938, submitting a report, together with accompanying papers and an illustration, on survey of Orowoc Creek, N. Y., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 126); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

309. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 28, 1938, submitting a report, together with accompanying papers, on reexamination of Merrimack River, N. H. and Mass., requested by resolution of the Committee on Flood Control, House of Representatives, adopted March 27, 1936; to the Committee on Flood Control.

310. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 3, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Eli Cove, an arm of Stoney Creek, Anne Arundel County, Md., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

311. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 28, 1938, submitting a report, together with accompanying papers and an illustration, on a survey of Greenwich Harbor, Conn., authorized by the River and Harbor Act, approved August 26, 1937 (H. Doc. No. 125); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

312. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 30, 1938, submitting a report, together with accompanying papers and an illustration, on reexamination of Tacoma Harbor, Wash., with a view to modifying existing project for Wapato Waterway, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 2, 1937 (H. Doc. No. 124); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.



313. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to authorize the Secretary of the Navy to proceed with the construction of a naval supply depot, Oakland, Calif.; to the Committee on Naval Affairs.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1101) granting a pension to Daniel W. Perkins; Committee on Pensions discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 1131) granting a pension to Helen H. Sly; Committee on Pensions discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 1286) granting a pension to James P. Stone; Committee on Pensions discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 2219) for the relief of Ame La Fernais; Committee on Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 2220) for the relief of Henry Werre; Committee on Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 2680) for the relief of James Moffitt; Committee on Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 2859) for the relief of Harry J. Thiessen; Committee on Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 2904) for the relief of Peter Koutsaymanes; Committee on Pensions discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 2927) granting an increase of pension to America E. Dye; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2937) granting a pension to Alfred Arrowood; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOREN:

H. R. 3022. A bill to amend paragraph 761 of the Tariff Act of 1930 to increase duty on cashew nuts; to the Committee on Ways and Means.

By Mr. CALDWELL:

H. R. 3023. A bill to authorize a preliminary examination and survey of St. Marks River, Fla.; to the Committee on Rivers and Harbors.

By Mr. DIMOND:

H. R. 3024. A bill to provide for the conservation of her-  
ring in the waters of Alaska, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H. R. 3025. A bill to amend an act entitled "An act to reserve lands to the Territory of Alaska for educational uses, and for other purposes," approved March 4, 1915 (38 Stat. 1214-1215); to the Committee on the Public Lands.

H. R. 3026. A bill authorizing the Legislature of Alaska to alter, amend, or repeal certain laws of Alaska imposing taxes for carrying on business and trade, and for other purposes; to the Committee on the Territories.

By Mr. RANKIN:

H. R. 3027. A bill for the erection of a public building at Iuka, Tishomingo County, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Washington:

H. R. 3028. A bill to provide for the construction of a post office and Federal building at Olympia, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. STARNES of Alabama:

H. R. 3029. A bill to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens; to the Committee on Immigration and Naturalization.

H. R. 3030. A bill to provide for the deportation of aliens subsisting on relief under certain circumstances; to the Committee on Immigration and Naturalization.

H. R. 3031. A bill to provide for the deportation of aliens inimical to the public interest; to the Committee on Immigration and Naturalization.

H. R. 3032. A bill to protect American labor and stimulate the employment of American citizens on American jobs; to the Committee on Immigration and Naturalization.

H. R. 3033. A bill to further reduce immigration, to authorize the exclusion of any alien whose entry into the United States is inimical to the public interest, to prohibit the separation of families through the entry of aliens leaving dependents abroad, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. TAYLOR of Tennessee:

H. R. 3034. A bill to set up a research section in the Bureau of Patents; to the Committee on Patents.

By Mr. THOMAS of New Jersey:

H. R. 3035. A bill to fix the maximum rate of interest on loans secured by veterans' life-insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. PIERCE of Oregon:

H. R. 3036. A bill to change the name of Pickwick Landing Dam to Rankin Dam; to the Committee on Military Affairs.

By Mr. LEMKE:

H. R. 3037. A bill prohibiting deficiency judgments in real-estate foreclosures by the Farm Credit Administration, the Federal land bank commissioner, and the Federal land banks, and prohibiting an increased rate of interest after maturity; to the Committee on Agriculture.

H. R. 3038. A bill providing for Congress to coin and issue money and regulate the value thereof by establishing the Bank of the United States, owned, operated, and controlled by the Government of the United States; setting forth the scope and manner of the Bank's operations; creating a Board of Control and defining the powers and duties of the Board and other persons charged with the Bank's management; and for other purposes; to the Committee on Banking and Currency.

By Mr. GEYER of California:

H. R. 3039. A bill to provide for the construction of a post-office building in Wilmington, Calif.; to the Committee on Public Buildings and Grounds.

H. R. 3040. A bill to provide for the acquisition of drydock facilities for the United States Maritime Commission at Los Angeles Harbor, in the city and county of Los Angeles, and to authorize the construction of certain public works, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CARLSON:

H. R. 3041. A bill to amend section 202 (c) of the World War Adjusted Compensation Act; to the Committee on Ways and Means.

By Mr. SCHWERT:

H. R. 3042. A bill to provide eligibility for compensation for service-connected disability unless due to wilful misconduct, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 3043. A bill to provide that any World War veteran suffering from paralysis, paresis, or blindness, or who is helpless or bedridden, or who is totally disabled may be awarded compensation, if otherwise entitled, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. COLLINS:

H. R. 3044. A bill granting a pension to widows and dependent children of World War veterans; to the Committee on World War Veterans' Legislation.

H. R. 3045. A bill to provide for the location and construction of a through multiple national highway system; to the Committee on Roads.

H. R. 3046. A bill to increase the number of National Guard aviation units; to the Committee on Military Affairs.

By Mr. LAMBERTSON:

H. R. 3047. A bill conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States; to the Committee on Indian Affairs.

H. R. 3048. A bill to relinquish concurrent jurisdiction to the State of Kansas to prosecute Indians or others for offenses committed on Indian reservations; to the Committee on Indian Affairs.

By Mr. GILCHRIST:

H. R. 3049. A bill to provide an exemption of family-sized farms from the \$10,000 limitation of soil-conservation payments, and for other purposes; to the Committee on Agriculture.

By Mr. VINCENT of Kentucky:

H. R. 3050. A bill to amend the act authorizing the Attorney General to compromise suits on certain contracts of insurance; to the Committee on World War Veterans' Legislation.

By Mr. KELLER:

H. R. 3051. A bill for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937; to the Committee on Claims.

By Mr. WELCH:

H. R. 3052. A bill to amend the Merchant Marine Act of 1936, section 301 (b), paragraph (3); to the Committee on Merchant Marine and Fisheries.

By Mr. HUNTER:

H. R. 3053. A bill to legalize a bridge across the Ottawa River at Summit Street in the city of Toledo, State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:

H. R. 3054. A bill to provide for promotion procedure within the executive classified civil service; to the Committee on the Civil Service.

H. R. 3055. A bill to provide for the retirement of certain employees in neuropsychiatric hospitals of the Government, and for other purposes; to the Committee on the Civil Service.

H. R. 3056. A bill to reclassify the salaries of the foreman and requisition fillers and packers in the Division of Equipment and Supplies of the Post Office Department; to the Committee on the Post Office and Post Roads.

H. R. 3057. A bill to amend the Classification Act of 1923, as amended; to the Committee on the Civil Service.

By Mr. HOPE:

H. R. 3058. A bill to provide annuities for certain widows of employees and retired employees of the United States and the District of Columbia; to the Committee on the Civil Service.

By Mr. VOORHIS of California:

H. R. 3059. A bill to amend subdivision (a) of section 75 of the National Bankruptcy Act of 1898, as amended (U. S. C., Annotated, title 11, sec. 203a); to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 3060. A bill to provide an 8-hour day and a workweek of not in excess of 6 calendar days for employees in homes, hospitals, and combined facilities of the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. CALDWELL:

H. R. 3061. A bill to extend the time within which to file an application for a quitclaim deed to certain property in Pensacola, Fla.; to the Committee on the Public Lands.

By Mr. DEMPSEY:

H. R. 3062. A bill to encourage the employment of local capital in the mining of oil and gas on the public domain; to the Committee on the Public Lands.

H. R. 3063. A bill to amend the act of August 26, 1937; to the Committee on the Public Lands.

H. R. 3064. A bill authorizing Federal participation in the commemoration and observance of the four hundredth anni-

versary of the explorations of Francisco Vazquez de Coronado; to the Committee on the Library.

By Mr. THOMASON:

H. R. 3065. A bill to amend Public Law No. 370, Seventy-fourth Congress, approved August 27, 1935 (49 Stat. 906); to the Committee on Foreign Affairs.

By Mr. JONES of Texas:

H. R. 3066. A bill to amend the Packers and Stockyards Act, 1921, approved August 15, 1921, as amended; to the Committee on Agriculture.

By Mr. VINSON of Georgia:

H. R. 3067. A bill to authorize the Secretary of the Navy to proceed with the construction of a naval supply depot, Oakland, Calif., and for other purposes; to the Committee on Naval Affairs.

By Mr. RANKIN:

H. J. Res. 127. Joint resolution authorizing and directing the Federal Trade Commission to make an investigation with respect to alleged efforts of privately owned public utilities unfairly to control public opinion concerning municipal or public ownership of electrical generating or distributing facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN:

H. J. Res. 128. Joint resolution authorizing the issuance of a special postage stamp in honor of Stephen Foster; to the Committee on the Post Office and Post Roads.

By Mr. ROBERTSON:

H. Res. 65. Resolution authorizing the Special Committee on Wildlife Conservation, appointed under authority of House Resolution 237, Seventy-third Congress, continued under authority of House Resolution 44, Seventy-fourth Congress, and House Resolution 11, Seventy-fifth Congress, to continue its investigations during the Seventy-sixth Congress; to the Committee on Rules.

H. Res. 66. Resolution to provide funds for the committee authorized by House Resolution 65; to the Committee on Accounts.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arkansas memorializing the President and the Congress of the United States to consider their resolution adopted January 13, 1939, with reference to maintenance of county roads; to the Committee on Roads.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H. R. 3068. A bill granting an increase of pension to Lois E. Garrett; to the Committee on Invalid Pensions.

By Mr. BOLAND:

H. R. 3069. A bill for the relief of Katharine W. Murray trust; to the Committee on Claims.

By Mr. BROWN of Ohio:

H. R. 3070. A bill granting an increase of pension to Martha J. Evans; to the Committee on Invalid Pensions.

By Mr. CARLSON:

H. R. 3071. A bill for the relief of Dr. Alfred O'Donnell and others; to the Committee on Claims.

By Mr. CELLER:

H. R. 3072. A bill granting a pension to Charles J. Rague; to the Committee on Invalid Pensions.

By Mr. CHAPMAN:

H. R. 3073. A bill for the relief of John Larison; to the Committee on Military Affairs.

By Mr. CLAYPOOL:

H. R. 3074. A bill for the relief of Edgar Green; to the Committee on Claims.

By Mr. CLUETT:

H. R. 3075. A bill granting an increase of pension to Mary I. Pingrey; to the Committee on Invalid Pensions.



By Mr. COLE of Maryland:

H. R. 3076. A bill granting a pension to Howard E. Toison; to the Committee on Pensions.

H. R. 3077. A bill for the relief of Adam Casper; to the Committee on Claims.

By Mr. DALY:

H. R. 3078. A bill for the relief of A. D. Cummins & Co., Inc.; to the Committee on Claims.

By Mr. DEMPSEY:

H. R. 3079. A bill granting compensation to Reuben R. Hunter; to the Committee on Claims.

By Mr. DOWELL:

H. R. 3080. A bill granting an increase of pension to Adaline Loftus; to the Committee on Invalid Pensions.

By Mr. EBERHARTER:

H. R. 3081. A bill for the relief of Margaret B. Nonnenberg; to the Committee on Claims.

By Mr. FISH:

H. R. 3082. A bill for the relief of Frank Gedney; to the Committee on Claims.

By Mr. FULMER:

H. R. 3083. A bill for the relief of Addie T. Caughman and Grace Roberts; to the Committee on Claims.

By Mr. GEYER of California:

H. R. 3084. A bill for the relief of Violet Dewey; to the Committee on Claims.

By Mr. HESS:

H. R. 3085. A bill for the relief of the Bruckmann Co.; to the Committee on Claims.

H. R. 3086. A bill for the relief of Joseph Lawrence Rusche; to the Committee on Naval Affairs.

By Mr. KEOGH:

H. R. 3087. A bill for the relief of Gdynia America Line, Inc., of New York City, N. Y.; to the Committee on Claims.

H. R. 3088. A bill for the relief of Pauline B. Raphael; to the Committee on Claims.

By Mr. LUDLOW:

H. R. 3089. A bill for the relief of Margaret Dunn; to the Committee on War Claims.

By Mr. McGEHEE:

H. R. 3090. A bill for the relief of C. R. Henderson; to the Committee on Claims.

By Mr. MANSFIELD:

H. R. 3091. A bill for the relief of Col. Ernest Graves; to the Committee on Military Affairs.

By Mr. MURDOCK of Arizona:

H. R. 3092. A bill granting an increase of pension to Lorenzo D. Walters; to the Committee on Invalid Pensions.

By Mrs. O'DAY:

H. R. 3093. A bill for the relief of Felix Kusman; to the Committee on Immigration and Naturalization.

H. R. 3094. A bill for the relief of Luise Ehrenfeld; to the Committee on Immigration and Naturalization.

H. R. 3095. A bill for the relief of Mirko Markovich; to the Committee on Immigration and Naturalization.

By Mr. O'TOOLE:

H. R. 3096. A bill for the relief of Yankiel Owslanka, alias Jack Singer; to the Committee on Immigration and Naturalization.

By Mr. SHANLEY:

H. R. 3097. A bill for the relief of Lulu M. Peiper; to the Committee on Claims.

H. R. 3098. A bill for the relief of James E. Breslin; to the Committee on World War Veterans' Legislation.

H. R. 3099. A bill to place Edwin H. Brainard on the retired list of the Marine Corps; to the Committee on Naval Affairs.

H. R. 3100. A bill for the relief of Capt. Francis H. A. McKeon; to the Committee on Claims.

H. R. 3101. A bill for the relief of David W. Morgan; to the Committee on Claims.

By Mr. SPRINGER:

H. R. 3102. A bill granting a pension to Sarah J. Wilder; to the Committee on Invalid Pensions.

H. R. 3103. A bill granting an increase of pension to Louise Essenmacher; to the Committee on Invalid Pensions.

By Mr. SMITH of West Virginia:

H. R. 3104. A bill for the relief of Kyle Blair; to the Committee on Claims.

By Mr. TAYLOR of Tennessee:

H. R. 3105. A bill for the relief of C. C. Tulloch; to the Committee on Claims.

H. R. 3106. A bill for the relief of Harry Waller; to the Committee on Claims.

H. R. 3107. A bill for the relief of Gordon W. Lovin; to the Committee on Claims.

H. R. 3108. A bill for the relief of R. E. Rule; to the Committee on Civil Service.

By Mr. THOMASON:

H. R. 3109. A bill for the relief of Helen Louise Giles; to the Committee on Claims.

By Mr. WELCH:

H. R. 3110. A bill for the relief of the Pacific Telephone & Telegraph Co.; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

424. By Mr. ANGELL: Petition of certain citizens of Portland, Oreg., protesting against the lifting of the so-called Spanish embargo; to the Committee on Foreign Affairs.

425. By Mr. BALL: Petition of certain citizens of Middletown, Conn., favoring our adherence to the general policy of neutrality as enunciated in the act of August 31, 1935, and in the act of May 1, 1937; to the Committee on Foreign Affairs.

426. By Mr. CHIPERFIELD: Petition of certain citizens of St. Augustine, Ill., urging the amending of the Neutrality Act to include civil conflicts; to the Committee on Foreign Affairs.

427. By Mr. COFFEE of Washington: Resolution of Grays Harbor Council, Washington Commonwealth Federation, Aberdeen, Wash., urging that the Dies committee has accepted evidence of rumor and opinion without a basis of fact; asserting that the committee has used investigators who are known stooges and strikebreakers; stating that the committee has used its facilities to interfere with the election of progressive men to public office; and therefore opposing appropriations for the continuation of such committee; to the Committee on Rules.

428. Also, resolution of the Hollywood Anti-Nazi League, Hollywood, Calif., charging that the Dies committee investigating un-American activities allowed perjured witnesses to fill its records with false testimony and permitted the committee hearings to be used to damage New Deal candidates in political campaigns; asserting that no opportunity was afforded those against whom charges were promiscuously hurled to appear before said committee and testify regarding same; therefore urging that Congress refuse a further grant of money for said committee's continuation; to the Committee on Rules.

429. By Mr. CROWTHER: Petition of certain citizens of Schenectady, N. Y., urging adherence to the present neutrality law; to the Committee on Foreign Affairs.

430. Also, petition of certain citizens of Gloversville, N. Y., urging retention on the statute books of the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

431. Also, petition of certain citizens of Gloversville and Johnstown, N. Y., urging that the embargo against Loyalist Spain be lifted; to the Committee on Foreign Affairs.

432. By Mr. DALY: Petition of Rev. George T. Montague and 3,740 other citizens of the Fourth Congressional District of Pennsylvania, protesting against the lifting of the Spanish embargo; to the Committee on Foreign Affairs.

433. Also, petition of Rev. E. F. Cunnie and several hundred other citizens of the Fourth Congressional District of Pennsylvania, protesting against lifting the Spanish embargo; to the Committee on Foreign Affairs.

434. By Mr. **HARTER** of New York: Resolution of the Knights of Columbus, Buffalo Council, No. 184, Buffalo, N. Y., urging that they go on record opposing any change in existing legislation which would in any way lessen the obligation of our Government to observe strict neutrality with regard to the civil conflict now raging in Spain; to the Committee on Foreign Affairs.

435. Also, resolution of the Holy Name Society, St. Francis de Sales parish, Buffalo, N. Y., and the Polish Priests' Association, Diocese of Buffalo, Buffalo, N. Y., urging that their secretary petition the Congress, for as long as we shall adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

436. Also, petition of the Buffalo Teachers' Union, Local No. 377, American Federation of Teachers, Buffalo, N. Y., protesting against taxation which will jeopardize the pension funds of civil service or educational employees and against increased burdens on the States and municipalities through Federal taxation of State and municipal revenues and non-reciprocal taxation of State and municipal bonds; to the Committee on Ways and Means.

437. Also, petition of the members of the Holy Name Union of the diocese of Buffalo, N. Y.; to the Committee on Foreign Affairs.

438. By Mr. **HAWKS**: Petition of 86 residents of Cross Plains, Wis., protesting against any change in the neutrality policy of this country; to the Committee on Foreign Affairs.

439. By Mr. **HOUSTON**: Petition of certain citizens of Newton, Kans., and vicinity, urging that for as long as we shall adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

440. By Mr. **JOHNS**: Petition of Richard Finnel and 20 other citizens of Denmark and Maribel, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality contained in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

441. Also, petition of J. M. Steingraeber and 152 other residents of Kewaunee, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

442. Also, petition of Rev. L. M. Schorn and 19 other residents of Wausaukee, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality contained in the act of August 31, 1935, to retain on our statute books the further and corollary principle set forth in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

443. Also, petition of George Zettel, Maplewood, Wis., and 107 other citizens of Maplewood, Forestville, and Sawyer, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle set forth in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

444. Also, petition of Cyril Virlee, of Brussels, Wis., and 53 other residents of Brussels, Forestville, and Sawyer, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further

and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

445. Also, petition of Francis Murphy and 49 other citizens of Manitowoc, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

446. Also, petition of T. C. Berceau and 53 other residents of Green Bay, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

447. Also, petition of B. H. Pennings and 322 other residents of West De Pere, Green Bay, and De Pere, Wis., urging the Congress of the United States to adhere to the general policy of neutrality enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

448. Also, petition of Father John O'Donovan and 289 other residents of Appleton, Wis., respectfully petitioning the President and Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary act to include civil as well as international conflicts; also urging that Congress launch an investigation of those leftist groups which are sponsoring propaganda favoring the lifting of the embargo on arms to "red" Spain; to the Committee on Foreign Affairs.

449. Also, petition of Harry Blick and 21 other citizens of Appleton, Wis., respectfully petitioning the President and Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary act to include civil as well as international conflicts, also urging that Congress launch an investigation of those leftist groups which are sponsoring favoring the lifting of the embargo on arms to "red" Spain; to the Committee on Foreign Affairs.

450. Also, petition of Glenfred Demro and 28 other residents of Goodman, Wis., respectfully petitioning the Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

451. Also, petition of Robert Baumgart and 35 other residents of Maribel and Denmark, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

452. Also, petition of Rev. W. Koutnik and 22 other citizens of Reedsville, Wis., urging the Congress of the United States to adhere to the general policy of neutrality as contained in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

453. Also, petition of Dr. F. A. Komoroske and 19 other residents of Algoma, Wis., petitioning the Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil



as well as international conflicts; to the Committee on Foreign Affairs.

454. Also, petition of August C. Engels and family, and 43 other signers on cards, petitioning the Congress of the United States to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, to retain on our statute books the further and corollary principle enunciated in the act of May 1, 1937, extending the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

455. By Mr. KEAN: Petition of Wilbert V. Kinney and sundry other citizens of the Twelfth Congressional District of New Jersey, urging consideration of the subject of neutrality as enunciated in the act of August 31, 1935, and the act of May 1, 1937; to the Committee on Foreign Affairs.

456. By Mr. KINZER: Petition of the Lions Club of Marietta, Pa., setting forth a declaration of policy on the subject of neutrality; to the Committee on Foreign Affairs.

457. Also, petition of 34 citizens of the State Teachers College, West Chester, Pa., setting forth a declaration of policy on the subject of neutrality; to the Committee on Foreign Affairs.

458. By Mr. LANDIS: Petition of the members of the American Association of University Women of Bloomington, Ind., expressing their views on the present neutrality law; to the Committee on Foreign Affairs.

459. By Mr. LESINSKI: Resolution of the City Council of the City of Wyandotte, Mich., requesting the Federal Works Progress Administration Administrator to rescind the lay-off order and continue mothers and women on present projects; also to reemploy on Works Progress Administration projects all persons previously employed on projects whose unemployment insurance has run out; to the Committee on Appropriations.

460. Also, resolution of the mayor and Common Council of the City of Lincoln Park, Mich., requesting the Works Progress Administration to rescind the lay-off order and continue mothers and women on present projects; also to reemploy on Works Progress Administration projects all persons previously employed whose unemployment insurance has run out; to the Committee on Appropriations.

461. Also, resolution of the Polish Activities League, Detroit, Mich., opposing the lifting of the embargo on arms to Spain, opposing aid and comfort to combatants, and recommending an investigation of such conditions; to the Committee on Foreign Affairs.

462. Also, resolution of the Detroit Municipal Employees Club, Inc., Detroit, Mich., protesting against any proposal for retroactive taxation of municipal employees' salaries and taxation of State and municipal bonds; to the Committee on Ways and Means.

463. Also, resolution of the Council of the City of Highland Park, Mich., opposing taxing of municipal securities and revenues of States and municipalities; to the Committee on Ways and Means.

464. Also, resolution of the Common Council of the City of Ann Arbor, Mich., opposing Federal taxation of municipal revenues, bonds, and incomes of municipal employees; to the Committee on Ways and Means.

465. By Mr. MARTIN of Massachusetts: Petition of Durant H. Macomber and 30 residents of Taunton, Mass., urging passage of the General Welfare Act; to the Committee on Ways and Means.

466. By Mr. PFEIFER: Petition of the Brooklyn Heights Americanization Committee, Brooklyn, N. Y., urging continuation of the Dies investigating committee; to the Committee on Rules.

467. By Mr. PLUMLEY: Memorial of the Vermont League of Women Voters, through their president, Irene Cheney, of Randolph, stating their interest in providing discrimination in the application of embargoes if there is intended revision of the Neutrality Act; to the Committee on Foreign Affairs.

468. Also, petition of 20 citizens of Montpelier, Vt., and the SS. Donation and Rogatian Parish, Randolph, Vt., urging

that so long as the Neutrality Act of August 31, 1935, is adhered to, the further corollary principle enunciated in the act of May 1, 1937, be retained on the statute books; to the Committee on Foreign Affairs.

469. Also, memorial of 30 citizens of Rutland, Vt., petitioning enactment by the Seventy-sixth Congress of the General Welfare Act (House bill 2); to the Committee on Ways and Means.

470. By Mr. REED of Illinois: Petition of William F. Korst, Joliet, Ill., and 49 interested persons, recommending the adherence to the general policy of neutrality as enunciated in the act of May 1, 1935; to the Committee on Foreign Affairs.

471. By Mr. SANDAGER: Petition of the City Council of Providence, urging retention as a part of the national deficiency appropriation bill, such provisions as will continue the reimbursement for nonlabor items to municipalities carrying on the Works Progress Administration projects on the basis of \$7 per man per month; to the Committee on Appropriations.

472. By Mr. SCHIFFLER: Petition of Reverend Francis J. Flanagan Council, No. 1907, Knights of Columbus, Mountsville, W. Va., and 64 members, urging the United States Senators and Representatives to vote to retain the act of May 1, 1937, extending our neutrality to civil as well as international conflicts, and to keep the Spanish embargo; to the Committee on Foreign Affairs.

473. Also, petition of the Ohio County Teachers' Association, Wheeling, W. Va., urging the passage of a bill to prevent the retroactive application of any Federal tax upon the employees of the States and their instrumentalities; to the Committee on Ways and Means.

474. By Mr. TENEROWICZ: Resolution of the Knights of Columbus of New Haven, Conn., urging that the Government of the United States adhere strictly to its present policy of absolute neutrality with respect to the war in Spain; to the Committee on Foreign Affairs.

475. Also, petitions of Marie Tocco and other citizens of Detroit, Mich., urging the Congress to adhere strictly to the general policy of neutrality; to the Committee on Foreign Affairs.

476. By Mr. TERRY: Memorial of the Senate of the State of Arkansas (the House of Representatives of the State of Arkansas concurring therein), urging that the Congress of the United States of America, acting through the United States Department of Agriculture, establish, or cause to be established, a soil-erosion experimental station in Arkansas adequate to serve the needs of the farmers in the Harsville soil area; to the Committee on Agriculture.

477. By Mr. VAN ZANDT: Resolution of American Legion Post No. 516, Hollidaysburg, Pa., approving the resolution of the Dies committee; to the Committee on Rules.

478. Also, resolution of the Twenty-first Bicoounty Council of the American Legion, condemning un-American propaganda and activities; to the Committee on Rules.

479. By the SPEAKER: Petition of Walter J. O'Brien, Bronx, New York, petitioning with reference to neutrality; to the Committee on Foreign Affairs.

480. Also, petition of the South Jersey Port Commission, Camden, N. J., petitioning consideration of their resolution with reference to commercial fishing boats; to the Committee on Merchant Marine and Fisheries.

481. Also, petition of the American Legion, Herman Schumacher Post, No. 921, Dolgeville, N. Y., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

482. Also, petition of the Allied Patriotic Societies, Inc., New York, petitioning consideration of their resolution adopted January 11, 1939, with reference to the deportation of illegally entered criminals; to the Committee on Immigration and Naturalization.

483. Also, petition of the International Union, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to the National Labor Relations Act; to the Committee on Labor.

484. Also, petition of the International Union, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to the National Labor Relations Act; to the Committee on Appropriations.

485. Also, petition of the International Union, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to the National Labor Relations Act; to the Committee on Labor.

486. Also, petition of the Missouri State Society, Sons of the American Revolution, St. Louis, Mo., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

487. Also, petition of Al Kojetinsky, of St. Louis, Mo., petitioning consideration of their resolution with reference to rehabilitation project in southeast Missouri; to the Committee on Appropriations.

488. Also, petition of the Holy Name Society of St. Anthony Parish, Milwaukee, Wis., petitioning consideration of their petition with reference to neutrality; to the Committee on Foreign Affairs.

489. Also, petition of National Lawyers Guild, New York, petitioning consideration of their resolution dated January 18, 1939, with reference to Dies committee; to the Committee on Rules.

490. Also, petition of the Mining and Metallurgical Society of America, New York, petitioning consideration of their bulletin No. 248, dated January 1939, with reference to taxation; to the Committee on Ways and Means.

## SENATE

TUESDAY, JANUARY 24, 1939

(Legislative day of Tuesday, January 17, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, January 23, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed a bill (H. R. 2868) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide supplemental appropriations for the fiscal year ending June 30, 1939, and for other purposes, in which it requested the concurrence of the Senate.

### THE LATE SENATOR EDWARD P. COSTIGAN

Mr. ADAMS. Mr. President, before the Senate begins the consideration of the relief joint resolution, I desire to make a brief statement on a matter which is rather close to me.

My friend and former colleague, ex-Senator Edward P. Costigan, of Colorado, passed away at his home in Denver on Tuesday, January 17, 1939.

Senator Costigan served in the United States Senate from March 4, 1931, until ill health forced his retirement from active duties in March 1936. The record of his life and his achievements is written large in the history of his State and the Nation, so that no recital of them is necessary; but I do wish to express a few words of personal appreciation of his character and services and my regret at his passing.

Senator Costigan was one of the most courteous, considerate, and best-liked Senators who ever sat in this body. He was a gentleman in the best and truest meaning of the term. He was gifted with an unusually fine mind, which had been cultivated and developed by a lifetime of study and thought.

He devoted the major efforts of his life to the advocacy and support of measures for the promotion of the public welfare. He always held close to his heart the interests of the less fortunate and the underprivileged. He never hesitated or faltered in his course because of fear of consequences.

The illness and death of Senator Costigan was a severe loss to his friends, his State, and his country. He will be remembered and mourned by an army of devoted friends and admirers throughout the land.

I submit as a part of my remarks an editorial from the Washington News very appropriately but briefly commenting upon the life and public services of Senator Costigan. I ask to have it printed in the RECORD at this point.

THE VICE PRESIDENT. Without objection, the editorial will be printed in the RECORD.

The editorial is as follows:

#### COSTIGAN OF COLORADO

Edward P. Costigan literally wore himself out in the service of the American people. His whole career was a battle for the general welfare, fought with those finest of weapons—intelligence and courage.

There was nothing of the opportunist in him. He supported causes because he believed them to be right, even when he knew them to be unpopular.

As a lawyer he defended the coal-mine strikers of Ludlow when that meant the enmity of the most powerful influences in Colorado. He followed Theodore Roosevelt into the Progressive Party and labored against hopeless odds to keep that party alive after the defeat of 1912. He enlisted to promote Woodrow Wilson's tariff ideals and remained a minority member of the Tariff Commission through the Harding-Coolidge administrations to resist the sabotage of those ideals. He was elected to the Senate 2 years before the New Deal, but the liberal policies which he supported and in large measure inspired represented the convictions of a lifetime.

We felt it as a great tragedy when Senator Costigan's health broke under the strain of ceaseless, selfless work and he found it impossible to be a candidate for reelection in 1936. He was not one who could be content in idleness. Years of inaction when there was so much needing to be done, so many disadvantaged people needing help, could have brought him little but unhappiness. We think of his death as a merciful release to rest well earned by one of the most gallant men we have known in public life.

Mr. NORRIS. Mr. President, the Senator from Colorado has asked that a newspaper clipping be printed as a part of his remarks. Does it include the poem which was read at Senator Costigan's funeral?

Mr. ADAMS. It does not.

Mr. NORRIS. Will the Senator permit me to have the poem inserted in the RECORD following his remarks?

Mr. ADAMS. It will be a pleasure to me if the Senator from Nebraska will do it now. I have concluded what I had to say.

Mr. NORRIS. I ask unanimous consent to insert in the RECORD at this point a clipping from the Rocky Mountain News, which includes a poem on life in general written by Senator Costigan himself and read at his funeral. I received the poem from the ex-Governor of Colorado, Hon. William E. Sweet.

THE PRESIDENT pro tempore. Without objection, it is so ordered.

The article and poem are as follows:

[From the Rocky Mountain News of January 20, 1939]

COSTIGAN'S OWN POEM ON LIFE READ AT FUNERAL—VERSES WRITTEN JUST BEFORE DEATH COMMEND "BOLD EXISTENCE"

A poem written a few months ago by former Senator Edward P. Costigan as symbolic of his life was read at his funeral yesterday by the Very Rev. Paul Roberts, dean of St. John's Cathedral.

Political and personal friends, many of whom could not get into the crowded Costigan home at 1642 Detroit Street, where the services were held, stood in silence while the dean recited A Lightning-Shattered Pine. The poem read:

Let aspen crowds salaam the storm;  
I was the pine, my monarch form,  
Crag spurning, backward frowned the cloud,  
Till lightnings wrapped me in their shroud.  
Rich is their need who own no fears,  
Upon the mountain top of years.  
I lie; my monster limbs divide  
And, blasted, waste, but save their pride.  
My downfall is old prophecy  
For which no fellow mourning be,